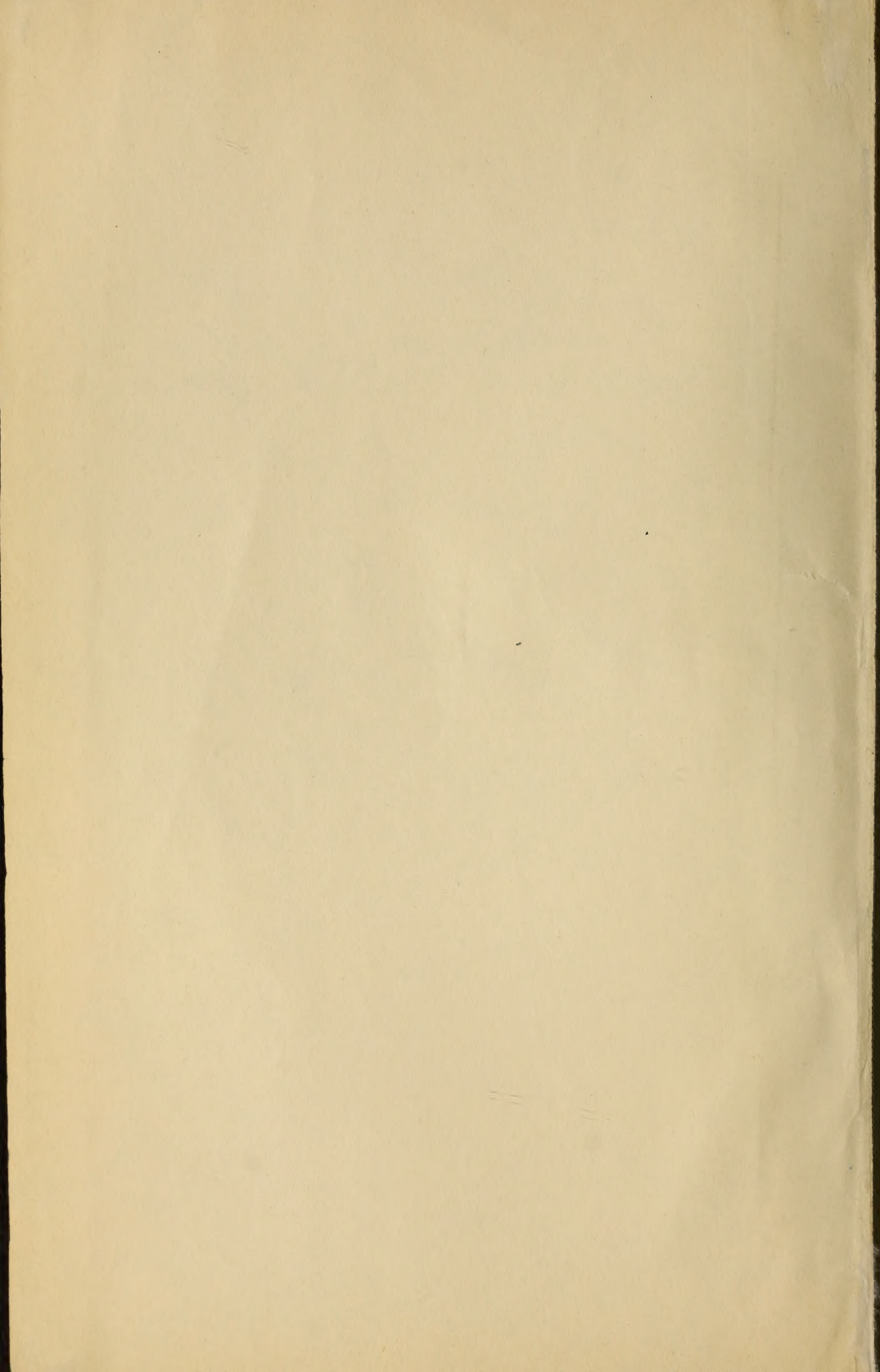




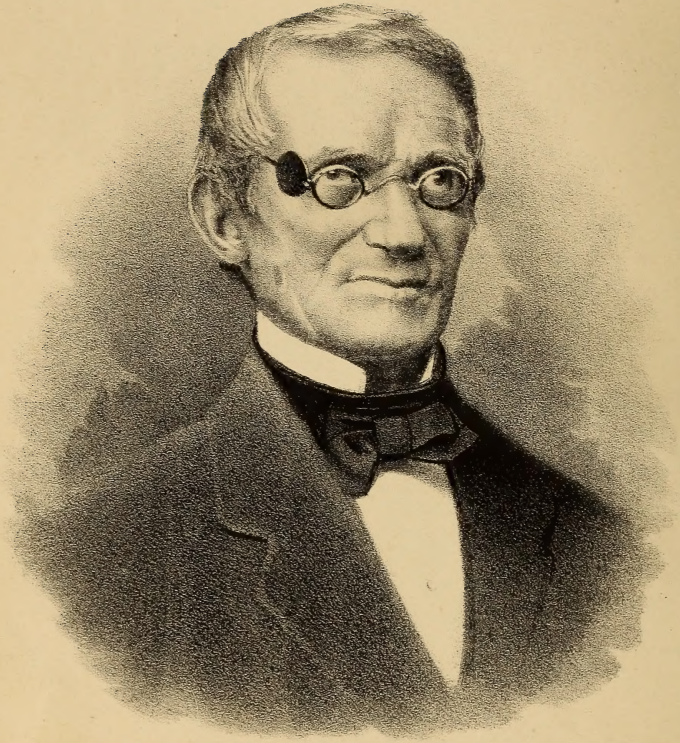
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John B. Dillon.

ODDITIES
OF
COLONIAL LEGISLATION
IN AMERICA,

AS APPLIED TO THE PUBLIC LANDS, PRIMITIVE EDUCATION,
RELIGION, MORALS, INDIANS, ETC., ETC.,

WITH AUTHENTIC RECORDS OF

THE ORIGIN AND GROWTH OF PIONEER SETTLEMENTS

EMBRACING ALSO A

CONDENSED HISTORY OF THE STATES AND TERRITORIES,
WITH A SUMMARY OF THE TERRITORIAL EXPAN-
SION, CIVIL PROGRESS AND DEVELOP-
MENT OF THE NATION.

✓
BY JOHN B. DILLON.

The laws of a nation form the most interesting portion of its history.—*Gibbon*.

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INDIANAPOLIS:
ROBERT DOUGLASS, PUBLISHER.
1879.

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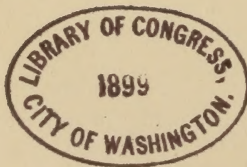
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ELECTROTYPED AT THE
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IN MEMORIAM.

The earnest men are so few in the world that their very earnestness becomes at once the badge of their nobility.—*Dwight.*

JOHN BROWN DILLON was born near Wellsburg, Brooke county, in what is now West Virginia, and not far from Steubenville, Ohio. When he was an infant his father removed to Belmont county, Ohio, where the son had the limited opportunities of instruction which the rural schools, during the winter terms, afforded, and where he acquired a scant knowledge of reading, writing and arithmetic. At the tender age of nine years he lost his father, when he was thrust upon his own resources and returned to his native county, where he soon became an apprentice to a printer at Charleston. Having acquired some knowledge of the "art preservative" he directed his footsteps toward Cincinnati, his outfit and fortune consisting of his compositor's rule and a resolute purpose to use it.

It was during the period of his apprenticeship there that he had fostered his affection for the Muses, and developed that passion for poetry, which blossomed so early in sweet and beautiful creations.

In 1826 he conceived the poem entitled, "The Burial of the Beautiful," which was produced in the Cincinnati Gazette, and which made him conspicuous as a writer of verse among the young men of that city who paid court to Parnassus. During the year following he was an occasional contributor to Flint's Western Review, and in 1829 he wrote "The Orphan's Lament," which appeared in The Western Souvenir. His poetic adventures continued, and in 1831 he combined with William D. Gallagher, subsequently an editor and author of versatile and graphic power, for the composition of a New Year's lay for the carrier-boy of the Cincinnati Mirror. In that poem the stanzas on "The Funeral of the Year" were included, beginning:

"Come to the funeral of the year!
Not with spirits worn by sadness—"

From Cincinnati Mr. Dillon removed to Logansport, Indiana, where, between editorial work and diversions at the "case," he prosecuted the studies in which he had been previously engaged, in pursuance of which he made application, was admitted to the bar, and began practicing law. But the rapid and interminable questions of dry fact, the subtle analyzations and calloused technicalities of the

legal science, were not so congenial to his fancy as paths of literature and other fields of thought and investigation. Hoary border legends, traditional story, but more especially local history, deeply absorbed his mind, the sequel culminating in a determination, on his part, to prepare a history of Indiana, to the capitol of which state he removed in 1842. A small volume of "Historical Notes" was published in 1843, which, however, met with but a limited sale.

In 1859 was produced "A History of Indiana," embracing a history of the discovery, settlement, and civil and military affairs of the great Northwestern territory, together with a clearly defined presentation of the progress of public affairs in Indiana, from 1816 to 1856.

This work, comprising six hundred and thirty-six pages, was issued in 1859, by Messrs. Bingham and Doughty, of Indianapolis, and is a most valuable acquisition to the historic literature of the nation. It is exhaustive in its detail, concise and dense in its statement, refreshing in its luxuriance of fact and evidence, methodical in its grouping of salient events, written in the author's characteristic style of plain but vigorous English, indicating deep-striking, assiduous research, and supported by remarkable proofs of incontestable authentication.

He was librarian of the state of Indiana, from 1845 to 1850, in which position he manifested commendable zeal. In 1851 he was appointed, by Judge Charles H. Test, then secretary, assistant secretary of state, in which capacity he served for four years. Upon the organization of the state board of agriculture, in the same year, he was chosen its first secretary, in which relation he rendered valuable and effective service for five years.

He was secretary of the Indiana historical society at the time of his death, and, as much as any man in the state of his adoption, was distinguished for his fidelity to the memory of the pioneers, and a noble desire to preserve the fading record of their lives and times. Many, indeed, were his noble utterances concerning their struggles and sorrows, both in his chaste and sinewy prose, and the richer embroideries of song.

In 1861 he was made custodian of the library of the department of the interior at Washington, D. C., where with unremittent industry he applied himself until 1870, at the termination of which time he resigned his position to accept the clerkship of the committee of the house on military affairs, of which Hon. John Coburn was president. After the expiration of this period of service he returned to Indianapolis, where the remainder of his life was spent, and where the sun of his prolonged, busy and useful life sank calmly and composedly into its dark and final eclipse.

"As speeds the arrow to its goal,
So sped his soul through voids of space
To God."

That the life of John B. Dillon was an interesting and suggestive one, can not be gainsaid; that, in some of its aspects, its best efforts may have been commonplace, may be true; but that it was a life soundly devoted to duty, largely endowed with inclinations and faculties to do good, full of the vegetating vigor of manly

purpose, and characterized by the most courageous and conscientious convictions of right, his friends, who best knew him, freely and cordially testify.

There were no whirls, eddies or cascades in the current of his years; it had rather a quiet, steady, earnest and placid flow. He chose the noiseless ways and paths of the world to the din, and dust, and smoke and clamor that induce unrest, and make its toils and burdens hard and heavy. His proverbial modesty forbade his coveting the glare of preferment, or conspicuous situations; yet, when promoted to places of honor, his trustworthiness was exemplary and grand. He was unacquainted with the arts of personal advancement, and lacked emphatically in self-assertion.

He was a student all his life—from his first experiments in living until its toiling close. He accepted labor as the motive, duty and destiny of man, and never was he known to timidly shrink from its mandate or injunction. And may it not truthfully be said of him, that he forged and beat out his life by the blows of his arm? Labor to him, therefore, became a joy and pleasure.

Whether as compositor in the printing office, or as student untangling the Penelopean web of the law, or as devotee at the shrine of truth, or in the sphere of a public official, the same uniform, unwavering adhesion to duty, and vigilant and scrupulous recognition of obligation, invariably were present. He was a deeply earnest man, and polite by nature and by culture—a modest patrician gentleman. His extreme simplicity and confiding disposition were everywhere apparent. He had faith in man—in his highest destinies—cherished a hope for his ultimate and universal elevation, looking forward to the better to-morrows—to the

“Day ever rising—never risen!

Time ever coming—never come!”

He admired all that was sweet in innocence, unsullied in virtue, and was a lover of all that is beautiful in the world. To him a beautiful church was a sermon in stone—its spire, a finger pointing to the Throne.

In his historical inquiries he aimed to be thorough and exhaustive, assuming nothing, and taking nothing for granted. The record, the lower strata, and the bottom facts had to be explored, and neither time nor toil were permitted to interpose to prevent this consummation. Any subject under his consideration received his undivided attention and discriminating thought. With him, what was worth doing was worth the best employment of his powers in that direction.

This scrupulous regard for facts was nowhere exhibited more forcibly than in his historical labors and composition. He put his honesty into every line he wrote, and, in this respect, resembled the mason with whom Hugh Miller served his apprenticeship, who “put his conscience into every stone that he laid.” His history of Indiana clearly affirms this assertion, and if slab, shaft, or granite do not commemorate his name, this work will remain his monument, surviving brass and out-living marble.

He was a man of intellect and of wide and varied attainments, a gleaner like Ruth, after sheaves of truth. His interpretation of constitutional questions bore

great gravity, and on problems of political science his opinions commanded more than respectful attention. His attachment and fondness for books, with which he enjoyed the most remarkable familiarity, had expanded into a passion. He had not passed the curriculum of the university, nor won the diploma of the college. He was self-made, nature not having especially caressed or favored him. What he possessed he gathered by "the process of accretion, which builds the ant heap, particle by particle, thought by thought, fact by fact."

If there was one mastering, dominant, conquering instinct or impulse of his nature, it was to do right. "His eye was single. He had chosen the good as his law." Nor did he desire to simply live in this atmosphere, but he aimed and labored to diffuse it. His temperament was positive, and, like his morality, it never abated. The problem under consideration must be right or wrong, just or unjust, and between these, there was, with him, no border land. He cared little about probabilities; the end was the truth, and from this he would not fluctuate, nor, with less than logical or rational motives, make excursions from it. His anchorages were made in safe harbors.

A more sensitive man was seldom met. His feelings lay near the surface, and were liable to be punctured by the merest bodkin. Hence, he was exceedingly careful to not wound or hurt the sensibilities of others. Few unkind words ever escaped from his lips. The soils of his heart were rich and warm, and subject to an overflow of the affections. His friendships were ardent and unflinching, and his heart was set to their music as the stars are to the melodies of heaven.

He was no strict constructionist in matters of benevolence, and his contributions were only limited by his ability to give. He, perhaps, agreed with Granville, that

"The liberal are secure alone,
For what we frankly give forever is our own."

His integrity and honesty stole into the hearts and affections of all who knew him. Were it possible for all men to achieve riches, it might have been possible that he would have preferred virtue. He had no anxiety for the accumulation of wealth; money was the means, not the end, and although, in this respect, his condition was largely the result of the policy of his life, he never murmured—never repined. His life forcibly and felicitously illustrated the conception of the poet, who wrote,

"Good resolutions stereotyped in deeds,
Pure hearts whose throbs are felt in what we say—
Souls shining with the light that comes from God,
And lives unselfish and unstained of vice,
Should be our aim, and not the praise of men."

Though not a member of the church he was a constant attendant; was a diligent reader of the Bible, professing the utmost faith in its precepts, and cherishing an abiding trust in the principles of our most holy religion. For some reason, wholly within his own keeping, he did not choose the covenant of marriage, yet it

was well known that he entertained a profound regard for the gentler sex, having confidence in their mission to elevate and Christianize man, and believing that,

“There’s many a beam from the fountain of day,
That, to reach us unclouded, must pass on its way
Through the soul of a woman.”

It has been suggested, but all is conjectural, that in his earlier life some haunting disappointment may have befallen him, and that the lines here introduced are evidence in that direction. It is sufficient to our purpose to introduce the poem, as an index to a delicate and exquisite fancy :

THE BURIAL OF THE BEAUTIFUL.

Where shall the dead, and the beautiful sleep?
In the vale where the willow and cyprus weep;
Where the wind of the west breathes its softest sigh;
Where the silvery stream is flowing nigh,
And the pure, clear drops of its rising sprays
Glitter like gems in the bright moon’s rays—
Where the sun’s warm smile may never dispel
Night’s tears o’er the form we loved so well—
In the vale where the sparkling waters flow;
Where the fairest, earliest violets grow;
Where the sky and the earth are softly fair,
Bury her there—bury her there!

Where shall the dead, and the beautiful sleep?
Where wild flowers bloom in the valley deep;
Where the sweet robes of spring may softly rest
In purity over the sleeper’s breast;
Where is heard the voice of the sinless dove,
Breathing notes of deep and undying love;
Where no column proud in the sun may glow,
To mock the heart that is resting below;
Where pure hearts are sleeping, forever blest;
Where wandering Peris love to rest;
Where the sky and the earth are softly fair,
Bury her there—bury her there

Other of his published poems are richly sweet and beautiful, while some, of true merit, remain unpublished.

After a brief and apparently painless sickness, on January 21, 1879, John Brown Dillon, patriot, poet, historian, author, and co-laborer with good men and women in worthy, noble and Christian enterprises, closed his eyes in that sleep which ends this transient, mortal life.

It was not the writer’s privilege to know, or have seen him, only in copied features and in words and thoughts. Yet, from what we have been permitted to

know of him, may we not ask, Who, in all this world of wrongs and inverted things; in this battle with passion and blood; in this maelstrom of temptation and sin—who, left the aroma of a more upright life? who, exhaled a gentler or manlier spirit?

He may have had faults. Who has not? And we would mistake our work to seek to conceal them behind a cloud of periphrasis. It can be said of John B. Dillon, that when he died he "took a man's life along with him." As Thackeray wrote of Dick Steele, "Peace be with him! Let us think gently of one who was so gentle; let us speak kindly of one whose own breast exuberated with human kindness."

INDIANAPOLIS, June 30, 1879.

BEN. DOUGLASS.

PREFACE.

THIS volume is offered to the consideration of all students of American history, and especially those readers who have neither time nor opportunities to extend their historical inquiries through the very large number of printed volumes and manuscripts from which the facts embodied in this work have been compiled.

In an Epistolary Discourse addressed to Lord Somers, in 1708, the author of the Discourse, Thomas Madox, says: "The first duty incumbent on a good Historian is, my lord, to convince his reader that what he offers him is true and genuine. It is, therefore, of the greatest consequence to make use of, as much as may be, evidences and memorials of indisputable authority, that are wrote, first, when the matters contained in them were transacted; secondly, by public sanction; thirdly, by those who knew how to express properly (according to the manner of the age) what was to be defined; fourthly, candidly and impartially, or without any design of concealment or imposition. These four are best met with in public records."

The long and careful researches which preceded the preparation of this volume were extended, not only into the details of American colonial history, but into the records of many different races of men, living under various political systems, and maintaining divers forms of religious worship.

From these sources I have selected a great number of interesting facts which throw light upon the origin and growth of civilized institutions in North America. Many of these facts are remarkable and important; others, of less moment, may be regarded as brief commentaries upon the manners and customs of the people to whom they relate.

No attempt has been made either to magnify or to diminish the real significance of any of the facts which are recorded. As a general rule, they are submitted, without comment, to the consideration and judgment of the reader. The *exact words* in which certain remarkable statutes were enacted, place before the minds of those who may read them, the most authentic evidence of the official opinions of many early American colonial legislators. Historical truths have been, very often, either overlooked or suppressed by different kinds of prejudices, or transformed into errors by the misleading brilliancy of the style of a historian. "Elegance," says Sir William Jones, "on a subject so delicate as Law, must be sacrificed, without mercy, to exactness."

Authentic information of many interesting particulars which relate to the religious sentiments, political opinions, and social conditions, that were generally

prevalent among the people of the several English colonies in America, may be acquired by readers who will study the examples of early colonial legislation which appear in this work. The remarkable changes through which the minds of legislators have passed, in the course of a few generations, are indicated with great distinctness, when those early sentiments, opinions and social conditions are brought into contrast with the principles of the constitution of the United States of America, and with the civil and religious rights of the citizens over whom its authority extends.

J. B. DILLON.

It is a well known fact, that the late John B. Dillon had for a great number of years been engaged on the work that is at this time offered to the public. It is a source of profound public regret that his death should have occurred before the completion of the volume upon which he had bestowed so many years of careful thought and persistent investigation.

In the part of the compilation over which we have had supervisory control, we have adhered with technical and scrupulous fidelity to the *plan of the work*, as contemplated by Mr. Dillon. The path which he had marked out, and along which he ploddingly traveled until blinded by the twilight and darkness of death, we promptly sought, readily found, and have pursued undeviatingly to the end.

By the aid of his notes and memoranda, which were generally ample, the complexity of our task has been materially modified, though we confess that at times we were cast upon our own resources, and that our experience was bordered with unexpected labor and investigation.

Our great confidence in the integrity of his pen, not confirmed simply by personal researches, but by a unanimous public judgment, has led us to accept him, in matters pertaining to this book, as *authority against authorities*. Although borne away by the grim escort, Death, in the midst of the vexing trials and perplexities of his editorial labors, we believe the structure, symmetry and harmonious relations of the work have been fully and faithfully sustained.

BEN. DOUGLASS.

INDIANAPOLIS, IND., June 30, 1879.

PART I.

INTRODUCTION.

WHEN Solon, the Athenian lawgiver, visited Egypt, about two thousand four hundred and thirty years ago, one of the Egyptian priests told him that their temples contained very old records of many great and wonderful events. "These records," said the priest, "tell of a mighty power which was aggressing wantonly toward the whole of Europe and Asia. * * * This power came forth out of the Atlantic Ocean, for in those days the Atlantic was navigable; and there was an island situated in the front of the straits which you call the columns of Heracles [the modern Straits of Gibraltar]; the island was larger than Lybia and Asia put together, and was the way to other islands, and from the islands you might pass to the whole of the opposite continent which surrounded the true ocean; for this sea which is within the straits of Heracles is only a harbor having a narrow entrance, but that other is a real sea. * * * Now, in this island of Atlantis there was a great and wonderful empire which had rule over the whole island and several others, as well as over parts of the continent. * * * But afterwards there occurred violent earthquakes and floods * * * and the island of Atlantis * * * disappeared and was sunk beneath the sea." [Dialogues of Plato (The Timæus), Jowett's translation, vol. ii., p. 521.] This extract from the writings of Plato, who wrote about twenty-two centuries ago, seems to contain some obscure allusions to the continent of America.

Chinese scholars say that ships made voyages from China to the western coast of America, which was called Fau Sang, as early as the year 458 of the Christian era.

In the year 745, Boniface, Bishop of Mentz, a city of Germany, was accused of heresy before Pope Zachary, "in that he (Boniface) averred there were Antipodes." [Collections of Massachusetts Historical Society, vol. iii., p. 357.]

Some authorities say that an Irish scholar, who was accused of heresy on the subject of the Antipodes, went to Rome in 748, or about that time, to visit Pope Zachary, and to prove "that the Irish had been accustomed to communicate with a trans-Atlantic world." [Baldwin's Prehistoric Nations, p. 401.]

The persistent investigations of historians, and especially the results of the diligent and careful researches which were made, before the middle of the present century, by Charl Rafn, "Secretary of the Royal Society of Northern Antiquaries," etc., seem to prove conclusively that the eastern coast of North America, as far southward as Rhode Island, was visited by Scandinavian navigators, or Northmen, at different times between the years 1001 and 1347.

It is probable that the mainland of America was seen, in 986, by a Northman navigator who bore the name of Bjarne, Biarne, or Biörn, and who was driven out of his course on a voyage from Iceland to Greenland.

About the year 1001, Leif, the son of Eric the Red, with thirty-five companions, sailed from Greenland, landed on the American coast at a place which they called Vinland, and built some huts in which they lived during the winter. In the spring the adventurers returned to Greenland.

According to some authorities, Vinland was visited, in 1059, by Jon, an Irish or Saxon Christian missionary; and, in 1121, the colony was visited by a bishop of Greenland.

The Edinburgh Encyclopædia says: "It is generally allowed that the Norwegians landed on the American shore, and that a colony, planted by adventurers from that nation, existed for some time in the new world." History does not, however, contain any information of the breaking up of the colony which was planted at Vinland.

Welsh historians say that, in 1170, Madoc, a Welsh prince, sailed far to the westward, and "discovered the country to which the name of America was afterwards given." After leaving a few

of his companions on the mainland, he went back to Wales, and, after the lapse of some time, set out on a second voyage for America. The vague traditions on which these statements of Madoc's voyages are founded are, perhaps, worthy of some degree of credit. [See Edinburgh Encyclopedia, American Cyclopedia, and authorities quoted.]

In 1492 Columbus discovered the islands of San Salvador, Hayti and Cuba, and, in 1498, he discovered the island of Trinidad, the river Orinoco, and the mainland of South America.

In 1497 the coast of Labrador was visited by John Cabot and his son Sebastian, who sailed under a commission granted to them by Henry VII. of England. In 1498 Sebastian Cabot explored the coast of North America, from Labrador southwardly to the 38th degree of north latitude. Macgregor, the author of "The Progress of America," says "there is great obscurity as to the exact dates of the voyages of Cabot; for he either kept no journal, which is not probable, or his journal has not been found."

In 1512 Florida was discovered by Juan Ponce de Leon, a Spaniard.

In 1534 Jacques Cartier, who held a commission under the crown of France, sailed into the gulf, to which he gave the name of St. Lawrence; and, in 1535, he explored the river St. Lawrence as far as the large island to which he gave the name of Montreal.

The early charters by which the crowns of England, France and Spain, severally, granted immense territories in North America, either to companies or to certain individuals, all contain clauses which were intended to be favorable to a rapid settlement of the country, and to the introduction of civilization and Christianity among the Indian tribes of the continent. The work of planting European colonists in North America was, however, carried on very slowly.

In 1565, about fifty-three years after the time of the discovery of Florida by the Spaniards, a few Spanish colonists established a permanent settlement at the site of St. Augustine.

In 1607, about one hundred and ten years after the second voyage of Sebastian Cabot, the English made their first permanent settlement in America, at Jamestown, in Virginia.

In 1608, about seventy-three years after the date of the discovery of the river St. Lawrence by Jacques Cartier, the first permanent French settlement in America was founded at the site of Quebec.

In 1609 the Hudson river was discovered by Henry Hudson, an Englishman, who was, at that time, in the service of the Dutch East India Company. The region which the Dutch claimed on account of this discovery, was called Nova Belgia, or New Netherland; and a town, to which the name of New Amsterdam was given, was laid out on Manhattan island, the site of the city of New York. The English took possession of New Amsterdam in 1664; and the region which the Dutch claimed under the name of New Netherland, was granted, in the same year, to the Duke of York.

After a permanent civilized settlement had been established at Quebec, in 1608, the French gradually extended their trading posts and missionary stations among different tribes of Indians who resided at various points on the borders of the river St. Lawrence, and in the vicinity of the shores of the lakes Erie, Huron, Michigan and Superior. Among the early missionaries who visited these regions there were some men of piety, learning and great religious zeal, who endeavored to establish among the Indians the foundations of civilization and the doctrines of Christianity.

In 1682, about 196 years ago, a French exploring party, under the command of the brave and unfortunate La Salle, passed down the river Illinois, and descended the Mississippi until they discovered the place at which it enters the Gulf of Mexico. The party there planted a cross, raised the arms of France, chanted a hymn, and then, on the 19th of April, 1682, La Salle, "in a loud voice" and in the name of Louis XIV. "by the grace of God King of France and of Navarre," took possession of the river Mississippi and its tributaries, and all the country watered by them as far as their sources. A paper was prepared by a notary, and signed by the principal men of the exploring party, to commemorate the discovery of the mouth of the great river by the French. The country claimed by virtue of this discovery was named Louisiana, in honor of Louis XIV.

From 1682 to 1762, or for a period of eighty years, France

continued to assert her claim to all the countries lying westward of the Allegheny mountains, between New Mexico and Canada, and extending, in all directions, as far as the sources of the rivers that flow into the Mississippi.

In 1609, about two years after a permanent English settlement had been founded at Jamestown, in Virginia, King James I. of England, granted to a company of adventurers and planters an immense territory, which extended four hundred miles along the Atlantic coast, and "up into the land" "west and north-west" as far as the Pacific Ocean. In 1624, however, at Trinity Term of the Court of King's Bench, a judgment was rendered which cancelled the grant of 1609; and the King issued a commission appointing a governor, and eleven councillors residing in Virginia, to whom the administration of the affairs of the colony was committed. Virginia thus became a royal province, and, excepting two brief periods, remained in that political condition until 1776, when, by the Declaration of the Independence of the United States, the foundations of a new nation were laid in North America.

About one hundred and thirty-three years after the date of the first English settlement at Jamestown, in Virginia, and one hundred and twenty years after the landing of the Puritans at New Plymouth, in Massachusetts, English, Irish, Scotch, and German colonists were beginning to found settlements on the head waters of the Juniata river, in Pennsylvania, and in the valley of the Shenandoah river, in Virginia. In the beginning of the year 1776, about one hundred and sixty-eight years after the time of planting the first English colony in Virginia, the total population of the thirteen British colonies in America, excluding Indians, was not as numerous as that which the city of London now contains.

For the management and control of early English colonies in America three kinds of government were put into operation. They were called Royal governments, Charter governments and Proprietary governments. A Royal government was one under which the people were authorized to elect legislative assemblies; but the King appointed the governor and council, who were invested with authority to veto the acts of assemblies elected by the people, and to control, in some measure, the administration of the public affairs of the colony. A Charter government was one

by which a company, incorporated by a royal charter, was authorized to exercise discretionary power in the administration of the affairs of government. As a general rule, in a Charter government, the company granted to the freemen of the colony the right to choose their governor and his council, to elect representatives in the general assembly, and to choose magistrates and executive officers. Charter governments were not authorized to enact any laws contrary to those of England. A Proprietary government was administered under the supervision of a person, or of persons, to whom the King, by letters patent, granted proprietary rights over a colony. In such governments the legislative assemblies were partly chosen by the people. The enactment of any law in conflict with the laws of England was prohibited; and the powers of Proprietary governments were, in some cases, limited by certain prerogatives of the crown.

In Dr. Priestley's Lectures on History, it is said that, of all the books not directly historical, none are of such immediate use, for the most valuable purposes of history, as law books. In these, says Priestley, we may trace both the greater and more minute changes in the internal constitution of the nation, with innumerable other important articles of which general historians take but little notice. "The laws of a country are necessarily connected with every thing belonging to the people of it; so that a thorough knowledge of the laws and their progress would inform us of every thing that is most useful to be known" about the condition of the people for whose government the laws were made. In Laws, Treaties, Proclamations, and other official documents, we may find evidence of the manners and customs which prevailed, at different periods, among the people of communities, states and nations.

The early codes which were enacted, or adopted, by the legislative authorities of the different English colonies in America, contain, severally, special provisions for the suppression of vice and immorality, and for the maintenance and support of the Christian religion. Nevertheless, in these codes there are many unjust laws. The people, however, who live in the present times ought to remember that the early legislators of the different English colonies in America were what the laws, the state of religion, and the man-

ners and customs of the nation from which they emigrated, had made them.

They were men of strong passions, earnest and sincere in their opinions and in their actions; and diligent, not only in the support of many good works, but in the maintenance of old errors, which had been impressed upon their minds, from the times of their childhood, by religious teachings, by political institutions, and by all those numerous domestic and social influences which combine to mould the character of a people. Their criminal codes were not the products of their own minds; but, with very few exceptions, their early colonial laws, relative to crimes and punishments, were adopted from the statutes, orders and decrees of the older governments of Europe.*

Prince, one of the early historians of New England, says: "When the founders of these colonies came over it was a time of general tyranny both in church and state, through their mother island, under which the British kingdoms loudly groaned." [Prince's *New England*, i.] And Lingard, in his *History of England*, referring to the time in which Mary I. lived, says it was "an age of intolerance, when to punish the professors of erroneous doctrines was inculcated as a duty, no less by those who rejected, than by those who asserted, the Papal authority." [Lingard's *History of England*, vol. iv., p. 347.]

The pillory, says Burrill, was an engine of wood made to punish offenders, intended more for the infliction of disgrace than pain; the head and face of the offender being exposed to public view through an opening which fitted the neck in such a manner that it could not be drawn back; the hands also being secured through similar openings.

Stocks—"A machine constructed of wood, with holes through which the feet of offenders were passed, and their persons thus confined."

Stocks for the punishment of men were in use more than 2,500 years ago. Pashur, the son of Immer, the priest, "smote Jeremiah, the prophet, and put him in the stocks that were in the high

*In reference to these statutes, etc., the reader may find many interesting particulars in Part III. of this volume.

gate of Benjamin, which was by the house of the Lord. [Jeremiah xx : 2.]

Men who have been taught to believe what is neither just nor true, are generally inclined to try to implant their erroneous opinions in the minds of all persons within the reach of their influence ; and, by such means, false theories of religion and of morals have been transmitted from one generation to another, through all the centuries which have passed away since the beginning of the conflict between Truth and Error.

The colonial authorities of Virginia, under a Royal government, and the colonial authorities of Massachusetts, under a Charter government, gradually became the main representatives, on the American continent, of two different political systems. In both of these colonies, however, at an early time, the legislative authorities enacted laws for the maintenance and support of the Christian religion ; for its introduction among the Indian tribes ; for the religious instruction of children, servants and slaves ; for the punishment of blasphemy ; and for the punishment and banishment of Roman Catholic priests, and those who were described, in a statute of Virginia, as “an unreasonable and turbulent sort of people, commonly called Quakers.”

Among the ways of inflicting punishment on the violators of early English colonial laws in America, were fines, imprisonment, banishment, standing in the pillory, whipping on the bare back, standing under the gallows with a rope around the neck, sitting in a cage, ducking, cutting off one ear, or both ears, branding on the forehead, boring the tongue with hot iron, hanging, dismembering, etc. Even in the Province of Pennsylvania there were penal laws which provided for punishing criminals by burning in the hand, cutting off the ears, nailing an ear to the pillory, whipping, hanging, imprisonment for life, etc. [Dallas' Laws of Pa., i. 130 —note.]

Long ago, under Pagan governments, and even under governments in which the ruling authorities were regarded as the true defenders of the Christian faith, a remarkable degree of heartless ingenuity was exercised in devising or inventing ways for the punishment of those who were condemned as criminals. These old inhuman modes of punishment included breaking on the wheel,

dislocating the limbs on the rack, plucking out the eyes, cutting out the tongue, burning at the stake, sawing asunder, dragging to death by wild horses, stoning to death, burying alive, pressing to death, etc.

Almost four thousand years ago the conqueror of the cities of the Ammonites "brought forth the people that were therein, and put them under saws, and under harrows of iron, and under axes of iron, and made them pass through the brick-kiln." [2d Samuel xii : 30, 31.]

In the days of the prophet Jeremiah, even princes were "hanged up by their hand." [Lamentation v : 12.]

King David, in the 51st Psalm, prayed to be delivered from "blood-guiltiness." He said to Solomon, "My son, as for me, it was in my mind to build a house unto the name of the Lord my God ; but the word of the Lord came to me, saying, Thou hast shed blood abundantly, and hast made great wars ; thou shalt not build a house unto my name, because thou hast shed much blood upon the earth in my sight." [1 Chronicles xxii : 7, 8.]

The historian Tacitus, in his description of the persecution of Christians at Rome, under the reign of Nero, says : "First, those were seized who confessed that they were Christians ; next, on their information, a vast multitude were convicted, not so much on the charge of burning the city, as of hating the human race. And, in their deaths they were also made the subjects of human sports ; for they were covered with the hides of wild beasts, and worried to death by dogs, or nailed to crosses, or set fire to, and when day declined, burnt to serve for nocturnal lights. Nero offered his own garden for that spectacle." [See Tacitus, book xv.—Oxford translation—Bohn's edition, i., 423.]

Those who, in a spirit of impartial inquiry, look over the past and the present, will see that pure Christianity, in its progress among nations, is gradually banishing from the minds of its followers, and from the world, the evils of fanaticism, cruelty and injustice. It never planted the spirit of persecution in the hearts of men. But there have been many professors of Christianity who were ignorant of this great truth. A village of Samaritans did not receive the Savior ; "and when his disciples James and John saw this, they said, Lord, wilt thou that we command fire to come down

from heaven, and consume them, even as Elias did? But He turned and rebuked them, and said, Ye know not what manner of spirit ye are of. For the Son of Man is not come to destroy men's lives, but to save them." [Luke ix: 54-56.] At another time, the disciple John said, "Master, we saw one casting out devils in thy name, and we forbade him, because he followeth not with us. And Jesus said unto him, Forbid him not: for he that is not against us is for us." [Luke ix: 49, 50.]

It is a great crime, not punishable by human statutes, to encourage the growth of discord and hatred among the people of any nation, by inciting them to remember, with feelings other than those of regret and astonishment, the monstrous acts of cruelty and injustice which, in former times, frequently marked the policy of the governing powers of nominal Christian nations. The fanatical fires which were once kindled for the purpose of burning Christians, and Jews, and witches, were extinguished long ago, and their lurid flames will never blaze out again upon the earth. Nevertheless, the influence of popular education, and the strong and beneficent power of science, supported by the best statutes which can be framed and carried into effect in our country, for the maintenance of the freedom of religious worship, the liberty of the press, and the freedom of speech, will never be sufficiently powerful to remove sectarian animosities and other irritating and dangerous maladies from the body politic. Nothing but the influence of divine love and divine power, operating on the hearts of the people, is adequate to the performance of a work so great in its magnitude and so glorious in its nature.

The religious opinions and the political views which were prevalent, at certain times, among the early legislative authorities of different English colonies in America, are made manifest by various statutes, ordinances and proclamations which are quoted in the following pages.

PART II.

EXTRACTS FROM EARLY COLONIAL LAWS RELATING TO RELIGION AND MORALS.

SECTION 1.

VIRGINIA, 1610.—Extracts from “Articles, Laws and Orders, Divine, Politique and Martial, for the Colony in Virginia; first established by Sir Thomas Gates, Knight, Lieutenant-General, the 24th of May, 1610.” Printed in London, 1612. [Force’s Collection, iii.]

“I DO strictly command and charge all captains and officers, of what quality or nature soever, whether commanders in the field, or in town or towns, forts or fortresses, to have a care that the Almighty God be duly and daily served, and that they call upon their people to hear sermons, as that also they diligently frequent morning and evening prayer themselves, by their own exemplar and daily life and duty herein, encouraging others thereunto, and that such who shall often and willingly absent themselves be duly punished according to the martial law in that case provided.”

“No man [shall] speak impiously or maliciously against the Holy and Blessed Trinity, or any of the Three Persons, that is to say, against God the Father, God the Son, and God the Holy Ghost, or against the known articles of the Christian faith, upon pain of death.”

“No man shall use any traitorous words against His Majesty’s person, or royal authority, upon pain of death.”

“No man shall speak any word, or do any act, which may tend to the derision or despite of God’s Holy word, upon pain of death.”

“There is not one man nor woman in this colony, now present, or hereafter to arrive, but shall give us an account of his and their faith and religion, and repair unto the minister, that by his conference with them he may understand and gather whether heretofore they have been sufficiently instructed and catechised in the principles and grounds of religion, whose weakness and ignorance herein the minister finding, and advising them, in all love and charity, to repair often unto him, to receive therein a greater measure of knowledge, if they refuse so to repair unto him, and he, the minister, give notice thereof to the governor, or that chief officer of that town or fort, wherein he or she, the parties so offending, may remain, the governor shall cause the offender, for his first time of refusal, to be whipped, for the second time to be whipped twice, and to acknowledge his fault upon the Sabbath day in the assembly of the congregation, and for the third time to be whipped every day until he hath made the same acknowledgment and asked forgiveness for the same, and shall repair unto the minister to be further instructed as aforesaid; and upon the Sabbath, when the minister shall catechise and demand any question concerning his faith and knowledge, he shall not refuse to make answer upon the same peril.”

SECTION 2.

VIRGINIA, 1621.—Extracts from instructions issued to Sir Francis Wyatt, Governor of Virginia, July 24, 1621. [See Hening's Statutes, vol. i., p. 114.]

To keep up religion of the church of England as near as may be; to be obedient to the king and do justice after the form of the laws of England; and not to injure the natives; and to forget old quarrels now buried.

To be industrious, and suppress drunkenness, gaming, and excess in clothes; not to permit any but the council and heads of hundreds to wear gold in their clothes, or to wear silk till they make it themselves.

Not to offend any foreign princes; to punish piracies; to build fortresses and block-houses at the mouths of the rivers.

To use means to convert the heathens, viz., to converse with

some; each town to teach some children fit for the college intended to be built.

To make a catalogue of the people in every plantation, and their conditions; and of deaths, marriages and christenings.

To take care of dead persons' estates for the right owners; and keep a list of all cattle, and cause the secretary to return copies of the premises once a year.

To take care of every plantation upon the death of their chief; not to plant above one hundred pounds of tobacco per head; to sow great quantities of corn for their own use, and to support the multitudes to be sent yearly; to inclose land; to keep cows, swine, poultry, etc., and particularly kine, which are not to be killed yet.

Next to corn, plant mulberry trees, and make silk, and take care of the Frenchmen and others sent about that work; to try silk grass; to plant abundance of vines, and take care of the vignerons sent.

To put prentices to trades, and not let them forsake their trades for planting tobacco or any such useless commodity.

To take care of the Dutch sent to build saw-mills, and seat them at the Falls, that they may bring their timber by the current of the water.

To build water-mills and block-houses in every plantation.

To make salt, pitch, tar, soap, ashes, etc., so often recommended, and for which materials had been sent; to make oil of walnuts, and employ apothecaries in distilling lees of beer, and searching after minerals, dyes, gums, and drugs, etc., and send small quantities home.

To make small quantity of tobacco, and that very good; that the houses appointed for the reception of new comers and public storehouses be built, kept clean, etc.

To take care of Captain William Norton, and certain Italians sent to set up a glass-house.

That care be taken that there be no engrossing commodity, or forestalling the market.

All servants to fare alike in the colony, and their punishment for any offenses is to serve the colony in public works.

SECTION 3.

VIRGINIA, 1623.—Laws and Orders passed by the General Assembly of Virginia, 1623-4. [See Henning's Statutes, vol. i., pp. 122-128.]

That there shall be in every plantation, where the people use to meet for the worship of God, a house or room sequestered for that purpose, and not to be for any temporal use whatsoever, and a place empaled in, sequestered only to the burial of the dead.

That whosoever shall absent himself from divine service any Sunday without an allowable excuse shall forfeit a pound of tobacco, and he that absenteth himself a month shall forfeit fifty pounds of tobacco.

That there be an uniformity in our church as near as may be to the canons in England, both in substance and circumstance, and that all persons yield ready obedience unto them under pain of censure.

That no minister be absent from his church above two months in all the year upon penalty of forfeiting half his means, and whosoever shall absent above four months in the year shall forfeit his whole means and cure.

That whosoever shall disparage a minister without bringing sufficient proof to justify his reports, whereby the minds of his parishioners may be alienated from him, and his ministry prove the less effectual by their prejudication, shall not only pay five hundred pounds weight of tobacco but also ask the minister so wronged forgiveness publicly in the congregation.

That no man dispose of any of his tobacco before the minister be satisfied, upon pain of forfeiture double his part of the minister's means, and one man of every plantation to collect his means out of the first and best tobacco and corn.

That all the old planters that were here before or came in at the last coming of Sir Thomas Gates, they and their posterity, shall be exempted from their personal service to the wars and any public charge (church duties excepted) that belong particularly to their persons (not exempting their families), except such as shall be employed to command in chief.

For the encouragement of men to plant store of corn the price

shall not be stinted, but it shall be free for every man to sell it as dear as he can.

That there shall be in every parish a public granary, unto which there shall be contributed for every planter exceeding the age of eighteen years, alive at the crop after he hath been here a year, a bushel of corn, the which shall be disposed for the public uses of every parish by the major part of the freemen, the remainder yearly to be taken out by the owners at St. Thomas's day and the new bushel to be put in the room.

That three sufficient men of every parish shall be sworn to see that every man shall plant and tend sufficient of corn for his family. Those men that have neglected so to do are to be by the said three men presented to be censured by the governor and council.

That all trade for corn with the savages, as well public as private, after June next, shall be prohibited.

That every freeman shall fence in a quarter of an acre of ground before Whitsuntide next, to make a garden for planting of vines, herbs, roots, etc., subpœna ten pounds of tobacco a man, but that no man for his own family shall be tied to fence above an acre of land, and that whosoever hath fenced a garden and —— of the land shall be paid for it by the owner of the soil; they shall also plant mulberry trees.

The proclamation for swearing and drunkenness set out by the governor and council are confirmed by this Assembly; and it is further ordered that the church-wardens shall be sworn to present them to the commanders of every plantation, and that the forfeitures shall be collected by them to be for public uses.

That every dwelling-house shall be palisaded in for defense against the Indians.

That no man go or send abroad without a sufficient party well armed.

That men go not to work in the ground without their arms (and a sentinel upon them).

That the commander of every plantation take care that there be sufficient of powder and ammunition within the plantation under his command and their pieces fixed and their arms complete.

That there be due watch kept by night.

That no commander of any plantation do either himself or suf-

fer others to spend powder unnecessarily in drinking or entertainments, etc.

That such persons of quality as shall be found delinquent in their duties, being not fit to undergo corporal punishment, may, notwithstanding, be imprisoned at the discretion of the commander, and for greater offenses to be subject to a fine inflicted by the monthly court.

That at the beginning of July next the inhabitants of every corporation shall fall upon their adjoining savages as we did the last year, those that shall be hurt upon service to be cured at the public charge; in case any be lamed to be maintained by the country according to his person and quality.

SECTION 4.

VIRGINIA, 1632.—Duties of Ministers.

In 1632 the Assembly of Virginia declared that “when any person is dangerously sick, in any parish, the minister, having knowledge thereof, shall resort to him or her to instruct and comfort them in their distress.” An act passed at the same session of the Assembly, 1632, declares that “ministers shall not give themselves to excess in drinking or riot, spending their time idly by day or by night, playing at dice, cards, or any other unlawful game; but at all times convenient they shall hear or read somewhat of the Holy Scriptures, or shall occupy themselves with some other honest studies or exercise; always doing the things which shall appertain to honesty, and endeavor to profit the church of God, having always in mind that they ought to excel all others in purity of life, and should be examples to the people to live well and Christianly.” [Hening’s Statutes, i., 183.]

SECTION 5.

Punishment of Babbling Women in Virginia—1662.

A law of Virginia entitled, “A Law to Punish Babbling Wo-

men," was enacted by the General Assembly in 1662, in the words following :

"Whereas, Many babbling women slander and scandalize their neighbors, for which their poor husbands are often involved in chargeable and vexatious suits, and cost in great damages. Be it therefore enacted by the authority aforesaid, that in actions of slander, occasioned by the wife, after judgment passed for the damages, the woman shall be punished by ducking ; and if the slander be so enormous as to be judged at greater damages than five hundred pounds of tobacco, then the woman to suffer ducking for each five hundred pounds of tobacco adjudged against the husband, if he refuses to pay the tobacco." [Hening's Statutes, ii., 166.]

SECTION 6.

Punishment of Scolds in Massachusetts—1672.

In 1672 the legislative authorities in Massachusetts passed a law for punishing scolds, in the words following :

"Whereas, There is no express punishment (by any law hitherto established) affixed to the evil practice of sundry persons by exorbitancy of tongue in railing and scolding ; it is therefore ordered, that all such persons, convicted before any court or magistrate that hath proper cognizance of the case, shall be gagged or set in a ducking-stool, and dipped over head and ears three times in some convenient place of fresh or salt water, as the court or magistrate shall judge meet." [Laws of Massachusetts, passed at May session at Boston, 1672.]

A ducking-stool was "an ancient engine for the punishment of scolds and delinquent brewers and bakers."

SECTION 7.

A Law of Massachusetts Relating to Apparel—1651.

Although several declarations and orders have been made by this court against excess in apparel, both of men and women, which

have not taken that effect as were to be desired, but on the contrary, we can not but to our grief take notice that intolerable excess and bravery hath crept in upon us, and especially amongst people of mean condition, to the dishonor of God, the scandal of our profession, the consumption of estates, and altogether unsuitable to our poverty; and, although we acknowledge it to be a matter of much difficulty, in regard to the blindness of men's minds and the stubbornness of their wills, to set down exact rules to confine all sorts of persons, yet we can not but account it our duty to commend unto all sorts of persons the sober and moderate use of those blessings which, beyond expectation, the Lord hath been pleased to afford unto us in this wilderness; and also to declare our utter detestation and dislike, that men or women of mean condition should take upon them the garb of gentlemen, by wearing gold or silver lace, or buttons, or points at their knees, or to walk in great boots; or women of the same rank to wear silk or tiffany hoods, or scarfs, which, though allowable to persons of greater estates, or more liberal education, yet we can not but judge it intolerable in persons of such like condition:

It is therefore ordered by this court, and the authority thereof, that no person within this jurisdiction, nor any of their relations depending upon them, whose visible estates, real and personal, shall not exceed the true and indifferent value of two hundred pounds, shall wear any gold or silver lace, or gold and silver buttons, or any bone lace above two shillings per yard, or silk hoods, or scarfs, upon the penalty of ten shillings for every such offense, and every such delinquent to be presented by the grand jury. [Laws of Massachusetts, ed. of 1672, p. 5.]

SECTION 8.

A Law of Massachusetts Relating to Pride—1675.

“Whereas, There is manifest pride openly appearing amongst us, in that long hair, like women's hair, is worn by some men, either their own or others' hair, made into periwigs; and by some women wearing borders of hair, and their cutting, curling and immodest laying out their hair, which practice doth prevail and in-

crease, especially amongst the younger sort, this court doth declare against this ill custom as offensive to them and divers sober Christians amongst us, and, therefore, do hereby exhort and advise all persons to use moderation in this respect; and further do empower all grand juries to present to the county court such persons, whether male or female, whom they shall judge to exceed in the premises; and the county court are hereby authorized to proceed against such delinquents either by admonition, fine or correction, according to their good discretion." [Laws and Orders of General Court of Massachusetts.]

SECTION 9.

A Law of Massachusetts to Punish Contemnors of Religion—1646.

"Forasmuch as the open contempt of God's Word, and messengers thereof, is the desolating sin of civil states and churches; it is ordered, that if any Christian (so called) within this jurisdiction shall contemptuously behave himself towards the word preached, or the messengers thereof called to dispense the same in any congregation, when he doth faithfully execute his service and office therein according to the will and word of God, either by interrupting him in his preaching, or by charging him falsely with any error which he hath not taught in the open face of the church; or, like a son of Korah, cast upon his true doctrine, or himself, any reproach to the dishonor of the Lord Jesus, who hath sent him, and to the disparagement of his holy ordinance, and making God's ways contemptible and ridiculous; that every such person or persons (whatsoever censure the church may pass) shall, for the first scandal, be convented and reprov'd openly by the magistrate at some lecture, and bound to their good behavior: And if a second time they break forth into the like contemptuous carriages they shall either pay five pounds to the treasury, or stand two hours openly on a block or stool four foot high, on a lecture day, with a paper fixed on his breast, written in capital letters, 'An Open and Obstinate Contemner of God's Holy Ordinances,' that others may hear and be ashamed of breaking out into like wickedness." [Laws of Massachusetts, ed. of 1672, pp. 44, 45.]

SECTION 10.

Liberty of Conscience in Pennsylvania—1682.

In 1682 William Penn, in his frame of laws for Pennsylvania, declared "that all persons living in this province, who confess and acknowledge the one Almighty and Eternal God to be the Creator, Upholder and Ruler of the World, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in no ways be molested or prejudiced for their religious persuasion or practice in matters of faith and worship; nor shall they be compelled at any time to frequent or maintain any religious worship, place or ministry whatever."

At a council held at Philadelphia, July 25, 1734, the governor, Hon. Thomas Penn, "informed the board that he was under no small concern to hear that a house lately built in Walnut street, in this city, had been set apart for the exercise of the Roman Catholic religion, and is commonly called the Romish Chapel, where several persons, he understands, resort on Sundays to hear Mass openly celebrated by a popish priest; that he conceives the tolerating the public exercise of that religion to be contrary to the laws of England, some of which, particularly the 11th and 12th of King William the Third, are extended to all of His Majesty's dominions; but those of that persuasion here imagining they have a right to it from some general expression in the charter of privileges granted to the inhabitants of this government by our late honorable proprietor, he was desirous to know the sentiments of this board on the subject. It was observed hereupon that if any part of the said charter was inconsistent with the laws of England it could be of no force, as being contrary to the express terms of the royal charter to the proprietary. The consideration of the subject was postponed. [Minutes of the Provincial Council of Pennsylvania, vol. iii., p. 589.]

SECTION 11.

Punishment of Blasphemy in Maryland—1723.

Be it enacted, by the right honorable the lord proprietor, by and with the advice and consent of his lordship's governor, and

the Upper and Lower Houses of Assembly, and the authority of the same, That if any person shall hereafter, within this province, wittingly, maliciously and advisedly, by writing or speaking, blaspheme or curse God, or deny our Savior Jesus Christ to be the Son of God, or shall deny the Holy Trinity, the Father, Son and Holy Ghost, or the Godhead of any of the Three Persons, or the unity of the Godhead, or shall utter any profane words concerning the Holy Trinity, or any the persons thereof, and shall be thereof convicted by verdict or confession, shall, for the first offense, be bored through the tongue, and fined twenty pounds sterling to the lord proprietor, to be applied to the use of the county where the offense shall be committed, to be levied on the offender's body, goods and chattels, lands or tenements, and in case the said fine can not be levied, the offender to suffer six months imprisonment without bail or mainprise; and that for the second offense, the offender being thereof convicted as aforesaid, shall be stigmatized by burning in the forehead with the letter B, and fined forty pounds sterling to the lord proprietor, to be applied and levied as aforesaid, and in case the same can not be levied, the offender shall suffer twelve months imprisonment without bail or mainprise; and that for the third offense, the offender being convicted as aforesaid, shall suffer death without the benefit of the clergy. [Maxcy's Laws of Maryland, i., 169.]

SECTION 12.

Punishments for Blasphemy in Virginia—1676.

Extract from "the articles, rules and orders to be observed and kept by the army as well in the several garrisons as in the field."

If any shall blaspheme the name of God, either drunk or sober, shall for every offense run the gauntlet through one hundred men or thereabouts, either more or less, at the discretion of the commander, but he or they that shall wilfully, notoriously and obstinately persist in this wickedness shall be bored through the tongue with a hot iron.

2. If any person or persons in the army shall deride or contemn God's word or sacraments, they shall suffer and undergo the aforesaid punishment.

3. If any man shall offend God's name by swearing or notorious drunkenness, and shall be thereof thrice convicted by his officer, and shall still obstinately persist therein, he shall, after the third offense, and for every such offense afterwards, ride the wooden horse half an hour with a musket tied at each foot, and ask forgiveness at the next meeting for prayer or preaching.

4. That public prayers be duly read in the field or garrison every morning and evening, and he that shall, upon the call of the drum or other notice by order of the commander given, refuse or neglect to repair to the said place of prayer, preaching or reading of homilies or sermons, shall be punished at the discretion of the commander.

5. That the commanders of the officers may be the better understood, that silence be kept whilst they are marching in the fields, and at the encamping and in garrison after the tattooes have gone about, upon the penalty to be laid neck and heels during the space of one hour for every such offense. [Hening's Statutes, ii., 333, 334.]

SECTION 13.

Torture Prohibited in Massachusetts—1672.

The Laws of Massachusetts, printed at Cambridge in 1672, contain the following provision: "And no man shall be forced by torture to confess any crime against himself, or any other, unless it be in some capital case, where he is first fully convicted by clear and sufficient evidence to be guilty, after which if the case be of that nature that it is very apparent there be other conspirators or confederates with him, then he may be tortured, yet not with such tortures as are barbarous and inhumane." [p. 129.]

SECTION 14.

Witchcraft.

The promulgation of laws against witchcraft was not confined to Massachusetts and other New England colonies. Virginia,

Delaware, South Carolina, Pennsylvania, and other English colonies in America, adopted, and declared to be in force, an English statute passed in 1603, the first year of the reign of James I., entitled, "An act against conjuration, witchcraft and dealing with wicked and evil spirits." An extract from this statute is the words following:

"And for the better restraining the said offenses and more severe punishing the same, be it further enacted by the authority aforesaid, That if any person or persons, after the said Feast of St. Michael, the Archangel, next coming, shall use, practice or exercise any invocation or conjuration of any evil and wicked spirit, or shall consult, covenant with, entertain, employ, feed or reward any evil and wicked spirit, to or for any intent or purpose, or take up any dead man, woman or child, out of his, her or their grave, or any other place where the dead body resteth, or the skin, bone, or any other part of any dead person, to be employed or used in any manner of witchcraft, sorcery, charm or enchantment; or shall use, practice or exercise any witchcraft, enchantment, charm or sorcery, whereby any person shall be killed, destroyed, wasted, consumed, pined or lamed in his or her body, or any part thereof; that then every such offender or offenders, their aiders, abettors and counselors, being of any the said offenses duly and lawfully convicted and attainted, shall suffer pains of death, as a felon or felons, and shall lose the privilege and benefit of clergy and sanctuary." [Statutes South Carolina ii., 508.]

This law continued in force in Pennsylvania till the 23d of September, 1794. [Dallas' Laws of Pennsylvania, i., 137.]

SECTION 15.

Witchcraft in Maryland—1666.

In 1666 the magistrates appointed for a county in the colony of Maryland, were directed, under oath, "to inquire, among other things, respecting witchcraft, enchantments, sorceries and magic arts;" and, in the same colony, in 1674, a person named John Connor was convicted and condemned for witchcraft. The Lower

House of the General Assembly petitioned for his reprieve, which was granted with a proviso that the sheriff carry the said John Connor "to the gallows, and, the rope being round his neck, it there being made known to him how much he was beholden to the Lower House for their intercession." [History of Maryland prepared for schools, published by E. H. Butler, 1866., pp. 38, 39.]

SECTION 16.

An Act for the Suppressing the Quakers—Virginia, 1660.

Whereas, There is an unreasonable and turbulent sort of people, commonly called Quakers, who, contrary to the law, do daily gather together unto them unlawful assemblies and congregations of people, teaching and publishing lies, miracles, false visions, prophecies and doctrines which have influence upon the communities of men, both ecclesiastical and civil, endeavoring and attempting thereby to destroy religion, laws, communities, and all bonds of civil society, leaving it arbitrary to every vain and vicious person whether men shall be safe, laws established, offenders punished and governors rule, hereby disturbing the public peace and just interest, to prevent and restrain which mischief it is enacted, that no master or commander of any ship or other vessel do bring into this colony any person or persons called Quakers, under the penalty of one hundred pounds sterling, to be levied upon him and his estate, by order from the governor and council, or the commissioners in the several counties where such ships shall arrive; that all such Quakers as have been questioned, or shall hereafter arrive, shall be apprehended wheresoever they shall be found, and they be imprisoned without bail or mainprise till they do abjure this country or put in security with all speed to depart the colony and not to return again; and if any should dare to presume to return hither after such departure, to be proceeded against as contemnors of the laws and magistracy, and punished accordingly, and caused again to depart the country; and if they should the third time be so audacious and impudent as to return hither, to be proceeded against as felons; that no person shall entertain any of the Quakers that have heretofore been questioned by the governor and

council, or which shall hereafter be questioned, nor permit in or near his house any assemblies of Quakers, in the like penalty of one hundred pounds sterling ; that commissioners and officers are hereby required and authorized, as they will answer the contrary at their peril, to take notice of this act to see it fully effected and executed, and that no person do presume on their peril to dispose or publish their books, pamphlets or libels bearing the title of their tenets and opinions. [Hening's Statutes, i., 532, 533.]

SECTION 17.

In 1663 the Virginia House of Burgesses passed the following order :

"Whereas, Mr. John Hill, high sheriff of Lower Norfolk, hath represented to the House that Mr. John Porter, one of the burgesses of that county, was loving to the Quakers and stood well affected towards them, and had been at their meetings, and was so far an Anabaptist as to be against the baptizing of children ; upon which representation the said Porter confessed himself to have [been] and be well affected to the Quakers, but conceived his being at their meetings could not be proved, upon which the oaths of allegiance and supremacy were tendered to him, which he refused to take ; whereupon it is ordered that the said Porter be dismissed this house."

SECTION 18.

Law against Quakers in Massachusetts—1661.

The following provisions are copied from a law of Massachusetts enacted in 1661 :

"This court being desirous to try all means, with as much lenity as may consist with our own safety, to prevent the intrusion of the Quakers, who, besides their absurd and blasphemous doctrines, do, like rogues and vagabonds, come in upon us, and have not been restrained by the laws already provided, have ordered that every such vagabond Quaker, found within any part of this jurisdiction, shall be apprehended by any person or persons, or by the constable

of the town wherein he or she is taken, and by the constable, or in his absence, by any other person or persons, conveyed before the next magistrate of that shire wherein they are taken, or commissioner invested with magisterial power; and being by the said magistrate or magistrates, commissioner or commissioners, adjudged to be a wandering Quaker, viz., one that hath not any dwelling, or orderly allowance as an inhabitant of this jurisdiction, and not giving civil respect by the usual gestures thereof, or by any other way or means manifesting himself to be a Quaker, shall, by warrant under the hand of the said magistrate or magistrates, commissioner or commissioners, directed to the constable of the town wherein he or she is taken, or in absence of the constable, to any other meet person, be stripped naked from the middle upwards, and tied to a cart's tail and whipped through the town, and from thence immediately conveyed to the constable of the next town towards the borders of our jurisdiction, as their warrant shall direct; and so from constable to constable till they be conveyed through any of the outwardmost towns of our jurisdiction." * * * [Laws of Massachusetts, ed. of 1672, pp. 62, 63.]

SECTION 19.

Witchcraft in Pennsylvania—1718.

And be it further enacted, That another statute, made in the first year of the reign of King James the First, chapter 12, entitled, "An act against conjuration, witchcraft, and dealing with wicked and evil spirits," shall be duly put in execution in this province, and of like force and effect as if the same were here repeated and enacted. [Dallas' Laws of Pennsylvania, i., 137.] This law continued in force in Pennsylvania till the 23d of September, 1794. [Ib.]

SECTION 20.

Blasphemy in Pennsylvania—1700.

An act to prevent the grievous sins of cursing and swearing within this province and territories: And be it further enacted,

That whosoever shall wilfully, premeditately and despitefully blaspheme or speak loosely and profanely of Almighty God, Christ Jesus, the Holy Spirit, or the Scriptures of Truth, and is legally convicted thereof, shall forfeit and pay the sum of ten pounds, for the use of the poor of the county where such offense shall be committed, or suffer three months imprisonment at hard labor as aforesaid, for the use of the said poor. [Dallas' Laws of Pennsylvania, i., 11.

SECTION 21.

An Act for the more effectual suppressing of Blasphemy and Profaneness in Carolina*—1703.

“Whereas some persons have of late years openly avowed and published many blasphemous and infamous opinions, contrary to the doctrines and principles of the Christian religion, greatly tending to the dishonor of Almighty God, and may prove destructive to the peace and welfare of this province: Wherefore, for the more effectual suppressing of the said detestable crimes, be it enacted,” etc., “That if any person or persons, having been educated in, or at any time having made profession of, the Christian religion within this province, shall, by writing, printing, teaching, or advised speaking, deny any one of the persons of the Holy Trinity to be God, or shall assert or maintain there are more Gods than one, or shall deny the Christian religion to be true, or the Holy Scriptures of the Old and New Testament to be of divine authority, and shall, upon indictment or information in any of the courts of record within this part of the province, be thereof lawfully convicted by the oath of two or more credible witnesses, such person or persons for the first offense shall be adjudged incapable and disabled in law, to all intents and purposes whatsoever, to have or enjoy any office or offices, be member of the Assembly, or have or enjoy any employments, ecclesiastical, civil or military, or any part in them, or any profit or advantage appertaining to them, or any of them; and if any person or persons so convicted as aforesaid shall, at the time of his or their conviction, enjoy or possess any office, place of trust,

* Carolina was divided, about 1721, into North Carolina and South Carolina. [Statutes of South Carolina.]

or employment, such office, place of trust or employment shall be void, and is hereby declared void." A second conviction was punishable by the infliction of other penalties, and "imprisonment for the space of three years, without bail or mainprise, from the time of such conviction." For the first offense, upon renunciation of the "erroneous opinions" within four months after conviction, the offender might be discharged from all penalties and disabilities incurred by such conviction. [South Carolina Statutes, ii., 196, 197.]

SECTION 22.

An Act against Atheism and Blasphemy in Massachusetts—1697.

"Be it declared and enacted by the lieutenant-governor, council and representatives convened in General Court or Assembly, and it is enacted by the authority of the same, that if any person shall presume wilfully to blaspheme the holy name of God, Father, Son or Holy Ghost, either by denying, cursing or reproaching the true God, his creation or government of the world; or by denying, cursing or reproaching the Holy Word of God, that is, the canonical scriptures contained in the books of the Old and New Testament, namely, Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, Samuel, Kings, Kings, Chronicles, Chronicles, Ezra, Nehemiah, Esther, Job, Psalms, Proverbs, Ecclesiastes, the Song of Solomon, Isaiah, Jeremiah, Lamentations, Ezekiel, Daniel, Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, Malachi; Matthew, Mark, Luke, John, Acts, Romans, Corinthians, Corinthians, Galatians, Ephesians, Philippians, Colossians, Thessalonians, Thessalonians, Timothy, Timothy, Titus, Philemon, Hebrews, James, Peter, Peter, John, John, John, Jude, Revelation; every one so offending shall be punished by imprisonment not exceeding six months, and until they find sureties for the good behavior, by setting in the pillory, by whipping, boring through the tongue with a red-hot iron, or setting upon the gallows with a rope about their neck, at the discretion of the Court of Assize and General Jail Delivery, before which the trial shall be, according to the circumstances, which may aggravate or alleviate the offense: Provided that

not more than two of the forementioned punishments shall be inflicted for one and the same fact." [Laws of Massachusetts (Baskett's ed. 1724), pp. 110, 111.]

SECTION 23.

Blasphemy in Delaware—1741.

"If any person shall wilfully or premeditatedly be guilty of blasphemy, and shall thereof be legally convicted, the person so offending shall, for every such offense, be set in the pillory for the space of two hours, and be branded in his or her forehead with the letter B, and be publicly whipped, on his or her bare back, with thirty-nine lashes well laid on." [Code 1741, p. 121.]

SECTION 24.

Blasphemy in Connecticut—1750.

"Be it enacted by the governor, council and representatives in General Court assembled, and by the authority of the same, That if any person within this colony shall blaspheme the name of God, the Father, Son, or Holy Ghost, with direct, express, presumptuous and high-handed blasphemy, or shall curse in the like manner, such person shall be put to death." [Acts and Laws of Connecticut, 1750, p. 60.]

SECTION 25.

Liberty of Conscience in Maryland—1649.

In 1649 the assembly of the province of Maryland passed the following act of religious toleration :

"Whereas, The enforcing of the conscience in matters of religion hath frequently fallen out to be of dangerous consequence in those commonwealths where it hath been practiced, and for the more quiet and peaceable government of this province, and the better to preserve mutual love and unity among the inhabitants,

no person or persons, whatsoever, within this province or the islands, posts, harbors, creeks or havens thereunto belonging, professing to believe in Jesus Christ, shall from henceforth be any ways troubled, molested or discountenanced, for or in respect of his or her religion, nor in the free exercise thereof, within this province or the islands thereunto belonging, nor any way compelled to the belief or exercise of any other religion against his or her consent, so as they be not unfaithful to the lord proprietary, or molest or conspire against the civil government, established, or to be established, in this province under him or his heirs."

In the year 1648 Lord Baltimore, proprietary of the province of Maryland, appointed Colonel William Stone his lieutenant-governor. "Stone was from Northampton county, Virginia, and was a Protestant. He was appointed on condition of bringing into the province five hundred colonists of British or Irish descent; and his oath of office required him not to trouble, molest or discountenance any one professing to believe in Jesus Christ, and, in particular, no Roman Catholic." [School History of Maryland, pp. 29, 30; First Discourse before the Maryland Historical Society, pp. 15, 16.]

"It is said that at that period (in 1649) the Protestants were far superior in numbers to the Catholics. The governor (Stone) and his councillors in that year were Protestant; and they, with the burgesses, (the delegates of the people) composed the legislative assembly. In the year 1650 the burgesses were, by a large majority, Protestant; and it is supposed by Bozman (2 vol. 354) that the Protestant burgesses were in the majority in the assembly of 1649 which passed the act referred to. The Protestant population appears to have been largely predominant, and it is therefore to be inferred that such was the prevailing religious cast of the delegates, the burgesses, when the legislature passed the act. This consideration, in some degree, may affect the sectarian honors of the question, although we have no recorded division of sentiment upon the law between the Roman Catholic and the Protestant portion of the legislature, and one spirit appears to have pervaded all. It is to be borne in mind, however, that the act required and readily received the sanction of the Roman Catholic Lord Baltimore." [First Discourse before the Maryland Histor-

ical Society, June 20, 1844, pp. 15-31; Bozman's *Maryland*, ii. p. 661; *North American Review*, vol. xxix. p. 439.]

SECTION 26.

Liberty of Conscience in Pennsylvania—1705.

"Almighty God, being only Lord of conscience, author of all divine knowledge, faith and worship, who can only enlighten the minds and convince the understanding of people, in due reverence to his sovereignty over the souls of mankind, and the better to unite the queen's Christian subjects in interest and affection, be it enacted, that no person now, or at any time hereafter, dwelling or residing within this province, who shall profess faith in God the Father, and in Jesus Christ, his only son, and in the Holy Spirit, one God blessed forevermore, and shall acknowledge the holy scriptures of the Old and New Testament to be given by divine inspiration, and, when lawfully required, shall profess and declare that they will live peaceably under the civil government, shall, in any case, be molested or prejudiced for his or her conscientious persuasion, nor shall he or she be at any time compelled to frequent or maintain any religious worship-place or ministry whatsoever, contrary to his or her mind, but shall freely and fully enjoy his or her Christian liberty, in all respects, without molestation or interruption." [Dallas' *Laws of Pennsylvania*, i. 43, 44.]

SECTION 27.

Liberty of Conscience in Georgia—1732.

Extract from the charter granted by George II. on the 9th of June, 1732, for the province of Georgia:

"We do, by these presents, for us, our heirs and successors, grant, establish and ordain, that forever hereafter there shall be a liberty of conscience allowed in the worship of God, to all persons inhabiting, or which shall inhabit, or be resident within, our said province, and that all such persons, except papists, shall have a

free exercise of religion ; so they be contented with the quiet and peaceable enjoyment of the same, not giving offense or scandal to the government."

The charter was granted to a number of persons who were styled "The Trustees for Establishing the Colony of Georgia in America."

SECTION 28.

Virginia—1651.

In 1651 the "Grand Assembly of the Governor, Council and Burgesses" of Virginia agreed to submit to the government of Cromwell and the parliament, on certain conditions which were set forth in articles concluded and signed at Jamestown (James City). The articles contain the following paragraph:

"Eleventh.—That the use of the book of common prayer shall be permitted for one year ensuing, with reference to the consent of the major part of the parishes, provided that those things which relate to kingship, or that government, be not used publicly, and the continuance of ministers in their places, they not misdemeaning themselves, and the payment of their accustomed dues and agreements made with them, respectively, shall be left as they now stand during this ensuing year." [Jefferson's Notes, 123, ed. 1853.]

SECTION 29.

Concerning Jesuits in Massachusetts—1647.

"This court taking into consideration the great wars, combustions and divisions which are this day in Europe, and that the same are observed to be raised and fomented chiefly by the secret underminings and solicitations of those of the Jesuitical order, men brought up and devoted to the religion and court of Rome, which hath occasioned divers states to expel them their territories, for prevention whereof among ourselves:

"It is ordered and enacted by authority of this court, that no Jesuit or spiritual or ecclesiastical person (as they are termed) or-

dained by the authority of the Pope or See of Rome, shall henceforth at any time repair to or come within this jurisdiction; and if any person shall give just cause of suspicion that he is one of such society or order, he shall be brought before some of the magistrates, and if he can not free himself of such suspicion he shall be committed to prison or bound over to the next Court of Assistants, to be tried and proceeded with, by banishment or otherwise, as the court shall see cause. And if any person so banished be taken the second time within this jurisdiction, upon lawful trial and conviction, he shall be put to death: Provided this law shall not extend to any such Jesuit, spiritual or ecclesiastical person as shall be cast upon our shores by shipwreck or other accident, so as he continue no longer than till he may have opportunity of passage for his departure; nor to any such as shall come in company with any messenger hither upon public occasions, or merchant, or master of any ship belonging to any place not in enmity with the state of England or ourselves, so as they depart again with the same messenger, master or merchant, and behave themselves inoffensively during their abode here." [Laws of Massachusetts (ed. 1672), p. 67.]

SECTION 30.

Preamble to certain Orders of the General Court of Massachusetts—1675.

"Whereas, the most wise and holy God for several years past hath not only warned us by his word, but chastised us with his rods, inflicting upon us many general (though lesser) judgments, but we have neither heard the word nor rod as we ought, so as to be effectually humbled for our sins to repent of them, reform and amend our ways; hence it is the righteous God hath heightened our calamity and given commission to the barbarous heathen to rise up against us, and to become a smart rod and severe scourge to us in burning and depopulating several hopeful plantations, murdering many of our people of all sorts, and seeming, as it were, to cast us off, and putting us to shame, and not going forth with our armies, hereby speaking aloud to us to search and try our ways and turn again unto the Lord our God from whom we have

departed with a great backsliding." [Laws of Massachusetts, 1675, p. 32.]

SECTION 31.

Liberty of Conscience in Massachusetts—1696.

The charter of the province of Massachusetts Bay in New England, granted by William and Mary on the third day of October, in the seventh year of their reign, contains the following passage, viz: "We do, by these presents, grant, establish and ordain, that forever hereafter there shall be a liberty of conscience allowed in the worship of God to all Christians (except papists) inhabiting or which shall inhabit or be resident within our said province or territory."

The oaths of allegiance and supremacy, under William and Mary, were in the words following: "I, A. B., do sincerely promise and swear, that I will be faithful and bear true allegiance to their majesties King William and Queen Mary: So help me God." "I, A. B., do swear that I do from my heart abhor, detest and abjure, as impious and heretical, that damnable doctrine and position, that princes excommunicated or deprived by the Pope, or any authority of the See of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare, that no foreign prince, person, prelate, state or potentate hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm: So help me God." [1 William and Mary, 1689; Statutes of South Carolina, i. 126, 127.]

SECTION 32.

The Christian Sabbath in Massachusetts—1760.

"Whereas, by reason of different constructions of the several laws now in force, relating to the observation of the Lord's Day, or Christian Sabbath, the said laws have not been duly executed; and notwithstanding the pious intentions of the legislators, the Lord's Day hath been greatly and frequently profaned: Wherefore, * * *

“Be it further enacted, that no traveler, drover, horse-courier, wagoner, butcher, higgler, or any of their servants, shall travel on the Lord’s Day, or any part thereof, except by some adversity they shall have been belated and forced to lodge in the woods, wilderness or highways the night before (and in such case it shall be lawful to travel no further on the Lord’s Day than to the next inn or house for entertainment of travelers), upon the penalty of a sum not exceeding twenty shillings nor less than ten shillings.

“And be it further enacted, that if any person or persons shall be recreating, disporting, or unnecessarily walking or loitering, or if any persons shall unnecessarily assemble themselves in any of the streets, lanes, wharves, highways, commons, fields, pastures or orchards of any town or place within this province upon the Lord’s Day, or any part thereof, every person so offending shall forfeit and pay the sum of five shillings, and upon every conviction after the first shall be bound to their good behavior.

“And be it further enacted, that if any person, being able of body, and not otherwise necessarily prevented, shall for the space of one month together absent themselves from the public worship of God on the Lord’s Day, they shall forfeit and pay the sum of ten shillings: Provided always, that if upon trial it shall appear that any person so charged had good and sufficient excuse for their absence, such person shall be dismissed without costs.” [Acts and Laws of Massachusetts (printed at Boston by S. Kneeland), pp. 392, 393.]

SECTION 33.

Preamble to “An Act to Incorporate Certain Persons by the Name of the Society for Propagating Christian Knowledge among the Indians of North America.”—Massachusetts, 1761.

“The signal success with which it hath pleased Almighty God to crown his majesty’s arms calls upon us to express our grateful acknowledgments to the Author of it, and to demonstrate our gratitude by endeavoring to spread the knowledge of his religion; a favorable opportunity of doing this among the Indians of America seems now to present itself, as the French of Canada, being subjected to his majesty’s dominion, have it less in their power to ob-

struct so good a work ; for the promoting of which divers worthy persons have petitioned this court for an act of incorporation, whereby they may be enabled, with the assistance of the charitably disposed, to proceed in it with vigor and carry it more effectively into execution." [Laws and Acts of Massachusetts (Kneeland's ed.) p. 419.]

SECTION 34.

An Act against Jesuits and Popish Priests in New York. Passed July 31, 1700.

Whereas, divers Jesuits, priests, and popish missionaries have of late come, and for some time have had their residence in the remote parts of this province, and other of his majesty's adjacent colonies, who, by their wicked and subtle insinuations, industriously labor to debauch, seduce, and withdraw the Indians from their due obedience unto his most sacred majesty, and to excite and stir them up to sedition, rebellion, and open hostility against his majesty's government ; for prevention whereof, be it enacted by his excellency the governor, council, and representatives, convened in General Assembly, and it is hereby enacted by the authority of the same, that all and every Jesuit and seminary priest, missionary, or other spiritual or ecclesiastical person, made or ordained by any authority, power, or jurisdiction, derived, challenged, or pretended, from the Pope or See of Rome, now residing within this province, or any part thereof, shall depart from and out of the same, at or before the first day of November next, in the present year seventeen hundred.

And be it further enacted by the authority aforesaid, that all and every Jesuit, seminary priest, missionary, or other spiritual or ecclesiastical person, made or ordained by any authority, power, or jurisdiction, derived, challenged, or pretended, from the Pope or See of Rome, or that shall profess himself, or otherwise appear to be such, by preaching, and teaching of others to say any popish prayers, by celebrating masses, granting of absolutions, or using any other of the Romish ceremonies and rites of worship, by what name, title, or degree soever, such person shall be called or known, who shall continue, abide, remain, or come into this province, or any part thereof, after the first day of November aforesaid, shall be

deemed and accounted an incendiary and disturber of the public peace and safety, and an enemy to the true Christian religion, and shall be adjudged to suffer perpetual imprisonment; and if any person, being so sentenced, and actually imprisoned, shall break prison and make his escape, and be afterwards retaken, he shall suffer such pains of death, penalties and forfeitures, as in cases of felony. [Laws of New York (published according to act of General Assembly, 1752), p. 37, 38.]

SECTION 35.

Perjury, Witchcraft, etc., in New Jersey—1668.

“If any person or persons shall willingly and maliciously rise up to bear false witness, or purpose to take away a man’s life, they shall be put to death.”

“If any person be found to be a witch, either male or female, they shall be put to death.”

“If any child or children, above sixteen years of age, and of sufficient understanding, shall smite or curse their natural father or mother, except provoked thereunto, and forced for their safe preservation from death or maiming, upon the complaint or proof of the said father or mother, or either of them (and not otherwise), they shall be put to death.” [Leaming & Spicer’s Laws of New Jersey, pp. 78, 79, 80.]

SECTION 36.

Freedom of Conscience in New Jersey—1698.

“That no person or persons that profess faith in God, by Jesus Christ his only Son, shall not (?) at any time be any way molested, punished, disturbed, or be called in question for any difference in opinion in matters of religious concernment, who do not under that pretense disturb the civil peace of this province, or use this liberty to licentiousness: Provided, this shall not extend to any of the Romish religion, to exercise their manner of worship contrary to the laws and statutes of his majesty’s realm of England: Provided

always, that this act, or anything therein contained, shall not infringe the liberty or privilege of any grant or charter already granted." [Leaming & Spicer's Laws of New Jersey, p. 372.]

SECTION 37.

From Queen Anne's Instructions to Lord Cornbury—New Jersey, 1702.

"And, whereas, the inhabitants of our said province of [New Jersey] have of late years been, unhappily, divided, and by their enmity to each other our service and their own welfare has been very much obstructed, you are, therefore, in the execution of our commission, to avoid the engaging yourself in the parties which have been formed amongst them, and to use such impartiality and moderation to all as may best conduce to our service and the good of the colony." * * *

"And in the choice and nomination of the members of our said council, as also of the principal officers, judges, assistants, justices and sheriffs, you are always to take care that they be men of good life and well affected to our government, of good estates and abilities, and not necessitous people or much in debt." * * *

"You are to permit a liberty of conscience to all persons (except papists), so they may be contented with a quiet and peaceable enjoyment of the same, not giving offense or scandal to the government." * * *

"And, whereas, we have been further informed that in the first settlement of the government of our said province it may so happen that the number of inhabitants fitly qualified to serve in our council in the General Assembly, and in other places of trust or profit there, will be but small, it is therefore our will and pleasure that such of the said people called Quakers as shall be found capable of any of those places or employments, and accordingly be elected or appointed to serve therein, may, upon their taking and signing the declaration of allegiance to us in the form used by the same people here in England, together with a solemn declaration for the true discharge of their respective trusts, be admitted by you into any of the said places of employment." * * *

"You shall take especial care that God Almighty be devoutly

and duly served throughout your government, the book of common prayer, as by law established, read each Sunday and holy day, and the blessed sacrament administered according to the rites of the Church of England." * * *

"You shall endeavor to get a law passed for the restraining of any inhuman severity which, by ill masters or overseers, may be used towards their Christian servants and their slaves." * * *

"You are also, with the assistance of the General Assembly, to find out the best means to facilitate and encourage the conversion of negroes and Indians to the Christian religion." [Leaming & Spicer's Laws of New Jersey, pp. 621-642.]

SECTION 38.

Sabbath—New Jersey, 1677.

"And all constables are hereby required, if upon their own knowledge they shall be privy to any such disorders [on Sunday] by sight or information thereof, to repair to the said place, and, finding any person or persons misbehaving themselves, namely, staggering, reeling, drinking, cursing, swearing, quarreling or singing any vain songs, or tunes of the same, shall cause the said person or persons so offending to be set in the stocks for two whole hours without relief." [Leaming & Spicer's Laws of New Jersey, p. 124.]

SECTION 39.

Liberty of Conscience in New Hampshire—1680.

Extract from the commission granted by Charles II. to John Cutts, president of the council for the province of New Hampshire:

"And above all things, we do by these presents, will, require and command, our council to take all possible care for the discountenance of vice and encouragement of virtue and good living, that by such examples the infidels may be invited and desire to partake of the Christian religion. And for the greater ease and satisfaction of our said loving subjects in matters of religion, we do hereby will,

require and command, that liberty of conscience shall be allowed unto all Protestants, and that such especially as shall be conformable to the rites of the Church of England shall be particularly countenanced and encouraged." [Laws of New Hampshire, p. 4.]

SECTION 40.

Liberty of Conscience in Carolina—1697.

"Whereas, several of the present inhabitants of this country did transport themselves into this province, in hopes of enjoying the liberty of their consciences according to their own persuasion, which the royal king, Charles the Second, of blessed memory, in his gracious charter, was pleased to empower the lords proprietors of this province to grant to the inhabitants of this province for to encourage the settlement of the same; be it therefore enacted, by the authority aforesaid, that all Christians which now are, or hereafter may be in this province, (papists only excepted) shall enjoy the full, free, and undisturbed liberty of their consciences, so as to be in the exercise of their worship according to the professed rules of their religion, without any let, molestation, or hindrance by any power either ecclesiastical or civil: Always provided, that they do not disturb the public peace of this province, nor disturb any other in the time of their worship." [Statutes of South Carolina, ii. 133.]

SECTION 41.

Citizens to go Armed to Church—South Carolina, 1743.

"Whereas, it is necessary to make some further provisions for securing the inhabitants of this province against the insurrections and other wicked attempts of negroes and other slaves within the same, we therefore humbly pray his most sacred majesty that it may be enacted, and be it enacted by the Hon. William Bull, Esq., lieutenant-governor and commander-in-chief in and over his majesty's province of South Carolina, by and with the advice and consent of his majesty's honorable Council, and the Commons House

of Assembly of this province, and by the authority of the same, that within three months from the time of passing this act every white male inhabitant of this province (except travelers and such persons as shall be above sixty years of age) who, by the laws of this province, is or shall be liable to bear arms in the militia of this province, either in times of alarm or at common musters, who shall, on any Sunday or Christmas day in the year, go and resort to any church or any other place of divine worship within this province, and shall not carry with him a gun or a pair of horse-pistols, in good order and fit for service, with at least six charges of gunpowder and ball, and shall not carry the same into the church or other place of divine worship as aforesaid, every such person shall forfeit and pay the sum of twenty shillings, current money, for every neglect of the same, the one-half thereof to the church-wardens of the respective parish in which the offense shall be committed, for the use of the poor of the said parish, and the other half to him or them who will inform for the same, to be recovered on oath before any of his majesty's justices of the peace within this province in the same way and manner that debts under twenty pounds are directed to be recovered by the act for the trial of small and mean causes." [Act of May 7, 1743, Statutes of South Carolina, vii. 417.]

SECTION 42.

Against Mercenary Attorneys—Virginia, 1658.

Whereas, there doth much charge and trouble arise by the admittance of attorneys and lawyers through pleading of causes thereby to maintain suits in law, to the great prejudice and charge of the inhabitants of this colony, for prevention thereof, be it enacted by the authority of this present Grand Assembly, that no person or persons whatsoever within this colony, either lawyers or any other, shall plead in any court of judicature within this colony, or give counsel in any cause or controversy whatsoever, for any kind of profit or reward whatsoever, either directly or indirectly, upon the penalty of five thousand pounds of tobacco upon every breach thereof. And because the breakers thereof, through their

subtlety can not easily be discerned, be it therefore further enacted, that every one pleading as an attorney to any other person or persons, if either plaintiff or defendant desire it, shall make oath that he neither directly or indirectly is a breaker of the act aforesaid. [Hening's Statutes, i. 482, 483.]

SECTION 43.

Divulgers of False News—Virginia, 1662.

Whereas, many idle and busy-headed people do forge and divulge false rumors and reports, to the great disturbance of the peace and quiet of his majesty's liege persons in this colony, be it enacted, that what person or persons soever shall forge and divulge any such false reports tending to the trouble of the country, shall be by the next justice of the peace sent for and bound over to the next county court, where, if he produce not his author, he shall be fined two thousand pounds of tobacco (or less, if the court thinks fit to lessen it), and besides give bond for his behavior if it appears to the court that he did maliciously publish it or invent it. [Hening's Statutes, ii. 109.]

SECTION 43.

Witnesses—Virginia, 1705.

That popish recusants convict, negroes, mulattoes and Indian servants, and others, not being Christians, shall be deemed and taken to be persons incapable in law to be witnesses in any cases whatsoever. [Hening's Statutes, iii. 298.]

SECTION 45.

Freedom of Conscience in Rhode Island.

Extract from the charter granted by Charles II. on the 8th day of July, in the fifteenth year of his reign :

"Our royal will and pleasure is, that no person within the said

colony, at any time hereafter, shall be in anywise molested, punished, disquieted or called in question for any difference in opinion in matters of religion, and do not actually disturb the civil peace of our said colony; but that all and every person and persons may, from time to time, and at all times hereafter, freely and fully have and enjoy his and their own judgments and consciences in matters of religious concernments, throughout the tract of land hereafter mentioned, they behaving themselves peaceably and quietly, and not using this liberty to licentiousness and profaneness, nor to the civil injury or outward disturbance."

The charter required the company "to direct, rule, order and dispose of all other matters and things, and particularly that which relates to the making of purchases of the native Indians, as to them shall seem meet; whereby our said people and inhabitants in the said plantations may be so religiously, peaceably and civilly governed, as that, by their good life and orderly conversation, they may win and invite the native Indians of the country to the knowledge of the only true God and Savior of mankind." [Public Laws of Rhode Island, pp. 5-10.]

SECTION 46.

Ministers and Preachers—New Jersey, 1674.

"It shall be in the power of the governor and council to approve such ministers and preachers as shall be nominated and chosen by the several corporations, without the General Assembly, and to establish their maintenance, giving liberty besides to any person or persons to keep and maintain what preachers or ministers they please." [Leaming & Spicer's Laws of New Jersey, p. 55.]

SECTION 47.

Lord's Day—New Jersey, 1675.

It is further enacted by this Assembly that whosoever shall profane the Lord's Day, otherwise called Sunday, by any kind of

servile work, unlawful recreations or unnecessary travels on that day not falling within the compass of works of mercy or necessity, either wilfully or through careless neglect, shall be punished by fine, imprisonment or corporally, according to the nature of the offense, at the judgment of the court, justice or justices where the offense is committed. [Leaming & Spicer's Laws of New Jersey, p. 98.]

SECTION 48.

Thanksgiving Day—New Jersey, 1676.

Whereas, there hath been signal demonstration of God's mercy and favor towards us in this colony, in the preserving and continuing our peace in the midst of wars round about us, together with many other mercies which we are sensible of, which call aloud for our acknowledgment and thanksgiving to the Lord; wherefore, be it enacted by this assembly, that there be a day of public thanksgiving set apart throughout the whole province, to give God the the glory and praise thereof, and oblige us to live to his praise and in his fear always, which day shall be the second Wednesday in November next ensuing. [Leaming & Spicer's Laws of New Jersey, p. 121, 122.]

SECTION 49.

Lord's Day, or Sunday—Carolina, 1691.

Preamble to "An act for the better observance of the Lord's Day, commonly called Sunday":

"Forasmuch as there is nothing more acceptable to Almighty God than the true, sincere performance of and obedience to the most divine service and worship, which, although at all times, yet chiefly upon the Lord's Day, commonly called Sunday, ought so to be done, but instead thereof many idle, loose and disorderly people do wilfully profane the same in tippling, shooting, gaming, and many other exercises, pastimes and meetings, whereby ignorance prevails and the just judgment of Almighty God may reasonably be expected to fall upon this land if the same by some good orders be not prevented."

By the provisions of this act it is enacted, "That no tradesman, artificer, workman, laborer, or any other person whatsoever, shall use or exercise any worldly labor, business or work of their ordinary calling on the Lord's Day or any part thereof (works of necessity or charity only excepted); and that every person being of sixteen years or upwards offending in the premises, shall, for every such offense, forfeit the sum of five shillings for each person every day. And that no person or persons whatsoever shall publicly cry, shew forth or expose to sale or sell any wares, merchandise, fruits, herbs, goods or chattels whatsoever, upon the Lord's Day or any part thereof, upon pain every person so offending shall forfeit the said goods so cried and shown forth or exposed to sale or sold." In case of the default or inability of offending persons to pay such fines or forfeitures, "then the party offending do set publicly in the stocks for the space of two hours." [Statutes of South Carolina, ii. 70, 71.]

SECTION 50.

Carolina, 1669.

"No man shall be permitted to be a freeman of Carolina, or to have any estate or habitation within it, that doth not acknowledge a God, and that God is publicly and solemnly to be worshiped." [Locke's Constitution; Statutes of South Carolina, i. 53.]

SECTION 51.

Sabbath Day—Virginia, 1629.

It is ordered that there be especial care taken by all commanders and others that the people do repair to their churches on the Sabbath day, and to see that the penalty of one pound of tobacco for every time of absence, and fifty pounds for every month's absence, set down in the act of the General Assembly, 1623, be levied and the delinquents to pay the same, as also to see that the Sabbath day be not ordinarily profaned by working in any employments or by journeying from place to place. [Hening's Statutes, i. 144.]

SECTION 52.

Oath of Church Wardens—Virginia, 1632.

You shall swear that you shall make presentments of all such persons as shall lead a profane or ungodly life, of such as shall be common swearers, drunkards or blasphemers, that shall ordinarily profane the Sabbath days or contemn God's holy word or sacraments. You shall also present all adulterers or fornicators, or such as shall abuse their neighbors by slandering, tale-carrying or backbiting, or that shall not behave themselves orderly and soberly in the church during divine service. Likewise they shall present such masters and mistresses as shall be delinquent in the catechising the youth and ignorant persons: So help you God! [Hening's Statutes, i. 156.]

SECTION 52.

Ministers to Teach Children and Visit the Sick—Virginia, 1632.

Upon every Sunday the minister shall have an hour or more before evening prayer to examine, catechise and instruct the youth and ignorant persons of his parish in the ten commandments, the articles of belief, and in the Lord's Prayer; and shall diligently hear, instruct and teach the catechism set forth in the book of common prayer; and all fathers, mothers, masters and mistresses shall cause their children, servants or apprentices which have not learned the catechism to come to the church at the time appointed, obediently to hear and to be ordered by the minister until they have learned the same; and if any of the said fathers, mothers, masters and mistresses, children, servants or apprentices, shall neglect their duties as the one sort in not causing them to come, and the other in refusing to learn, as aforesaid, they shall be censured by the courts in those places holden. And this act to take beginning at Easter next.

When any person is dangerously sick in any parish, the minister having knowledge thereof, shall resort unto him or her to instruct and comfort them in their distress. [Hening's Statutes, i. 157, 158.]

SECTION 54.

Church or Chapel of Ease to be Built—Virginia, 1662.

Be it enacted for the advancement of God's glory and the more decent celebration of his divine ordinances, that there be a church decently built in each parish of this country, unless any parish as now settled by reason of the fewness or poverty of the inhabitants be incapable of sustaining so great a charge, in which case it is enacted that such parishes shall be joined to the next great parish of the same county, and that a chapel of ease be built in such places at the particular charge of that place. [Hening's Statutes, ii. 44.]

SECTION 55.

Quakers and Popish Recusants in North Carolina—1762.

Be it therefore enacted, by the governor, council, and assembly, and by the authority of the same, that where any person hath, or shall have, any child or children under the age of twenty-one years, and not married, it shall and may be lawful to and for the father of such child or children, by deed executed in his lifetime, or by his last will and testament in writing, in such manner, and from time to time as he shall think fit, to dispose of the custody and tuition of such child or children for and during such time as he, she or they shall remain under the age of twenty-one years, or for any less time, to any person or persons other than the people called Quakers, and popish recusants: * * * Provided, nevertheless, that nothing in this act contained shall be construed to hinder any of the people commonly called Quakers to make such disposition, or to hinder the superior or inferior courts from committing the guardianship and custody of their children to the people of that persuasion; and that every person or persons to whom such tuition and custody hath been, or shall be so disposed or devised as aforesaid, shall and may take into his or their possession, for the use of such child or children, the profits of all lands, tenements, and hereditaments; and also the slaves, goods, and chattels, and personal estate of such child or children, and may bring such action or actions in

relation thereunto, as by law a guardian in common soccage might do. [Martin's Laws of North Carolina, ii. 141, 142.]

SECTION 56.

Sabbath-breakers—Maryland, 1723.

And be it enacted, that no person whatsoever shall work or do any bodily labor on the Lord's Day, commonly called Sunday, and that no person, having children, servants, or slaves, shall wittingly or willingly suffer any of them to do any manner of work or labor on the Lord's Day (works of charity always excepted), nor shall suffer or permit children, servants, or slaves, to profane the Lord's day, by gaming, fishing fowling, hunting, or unlawful pastimes or recreation, and that every person transgressing this act, and being thereof convict, by the oath of one sufficient witness, or confession of the party before a single magistrate, shall forfeit two hundred pounds of tobacco, to be levied and applied as aforesaid. [Maxey's Laws of Maryland, i. 171.]

SECTION 57.

Lands for the Support of Religion—Maryland, 1722.

Whereas, for a considerable time (from the first settlement of this province) there were few or no ministers to dispense the word and sacraments, that the country was in an unsettled condition as to religion, and few or no parishes erected during that time; and, whereas, several pious and well disposed persons, for promoting the Protestant religion, and for encouragement of ministers, have given or devised several parcels of land for that use, but that notwithstanding, the good intent of several of the devisors have been frustrated through the negligence or unskillfulness of the writers of wills, which is a great injury to the church, and has and may be a discouragement to persons charitably inclined to give any lands for glebes where they are wanted, as they are in many parishes, which makes the incumbent unsettled and reduces him to straits as to his residence; for remedy whereof for the future,

Be it enacted, by the right honorable the lord proprietary, by and with the advice and consent of his lordship's governor, and the upper and lower houses of Assembly, and the authority of the same, that any person or persons, being of sound and disposing mind and memory, that have heretofore devised, or shall hereafter devise any lands or tenements to the use of any church or chapel within this province, or for support or maintenance of the clergy or ministry of the Church of England, as by law established, or to the use of the church, or support of the Protestant religion in general, without particularly mentioning to what church, chapel or person, shall be good and effectual in law, notwithstanding such omission, or the ambiguity or uncertainty in the wording of any will, if the intent of the testator can be reasonably collected from the words of the will. [Maxcy's Laws of Maryland, i. 158.]

SECTION 58.

Guns to be Carried to Church—Virginia, 1643.

It is enacted and confirmed, that masters of every family shall bring with them to church on Sundays one fixed and serviceable gun, with sufficient powder and shot, upon penalty of ten pounds of tobacco for every master of a family so offending, to be disposed of by the church wardens, who shall levy it by distress, and servants being commanded and yet omitting, shall receive twenty lashes on his or their bare shoulders, by order from the county courts where he or they shall live. [Hening's Statutes, i. 263.]

SECTION 59.

Popish Recusants and Popish Priests—Virginia, 1643.

Whereas, it was enacted at an assembly in January, 1641, that according to a statute made in the third year of the reign of our sovereign lord King James of blessed memory, that no popish recusants should at any time hereafter exercise the place or places of secret counselors, register, commissioners, surveyors or sheriff, or

any other public place, but be utterly disabled for the same. And further it was enacted that none should be admitted into any of the aforesaid offices or places before he or they had taken the oath of allegiance and supremacy. And if any person or persons whatsoever should, by sinister or corrupt means, assume to himself any of the aforesaid places or any other public office whatsoever, and refuse to take the aforesaid oaths, he or they so convicted before an assembly should be dismissed of his said office, and for his offense therein forfeit one thousand pounds of tobacco, to be disposed of at the next assembly after conviction. And it is further enacted by the authority aforesaid, that the statute in force against the popish recusants be duly executed in this government, and that it should not be lawful, under the penalty aforesaid, for any popish priest that shall hereafter arrive to remain above five days after warning given for his departure by the governor or commander of the place where he or they shall be, if wind and weather hinder not his departure. And that the said act should be in force ten days after the publication thereof, at James City, this present Grand Assembly to all intents and purposes doth hereby confirm the same. [Hening's Statutes, i. 268.]

SECTION 60.

Against Persons that Refuse to have their Children Baptised—Virginia, 1662.

Whereas, many schismatical persons, out of their averseness to the orthodox established religion, or out of the new-fangled conceits of their own heretical inventions, refuse to have their children baptised, be it therefore enacted by the authority aforesaid, that all persons that, in contempt of the divine sacrament of baptism, shall refuse when they may carry their child to a lawful minister in that county to have them baptised, shall be amerced two thousand pounds of tobacco, half to the informer, half to the public. [Hening's Statutes, ii. 165, 166.]

SECTION 61.

Maryland, 1632.

The charter by which Maryland was granted to Cæcilius Calvert, Baron of Baltimore, by Charles I. of England, in the eighth year of his reign, contains the following passages :

“Whereas, our well beloved and right trusty subject, Cæcilius Calvert, Baron of Baltimore, in our kingdom of Ireland, son and heir of George Calvert, knight, late Baron of Baltimore, in our said kingdom of Ireland, treading in the steps of his father, being animated with a laudable and pious zeal for extending the Christian religion, and also the territories of our empire, hath humbly besought leave of us, that he may transport, by his own industry and expense, a numerous colony of the English nation, to a certain region, hereinafter described, in a country hitherto uncultivated, in the parts of America, and partly occupied by savages, having no knowledge of the Divine Being, and that all that region, with some certain privileges and jurisdictions appertaining unto the wholesome government and state of his colony and region aforesaid, may by our royal highness be given, granted, and confirmed unto him and his heirs.”

“But because, that in so remote a region, placed among so many barbarous nations, the incursions as well of the barbarians themselves as of other enemies, pirates and ravagers, probably will be feared, therefore we have given, and for us, our heirs and successors do give by these presents, as full and unrestrained power as any captain-general of an army ever hath had, unto the aforesaid now Baron of Baltimore, and to his heirs and assigns, by themselves, or by their captains or other officers, to summon to their standards and to array all men, of whatsoever condition, or wheresoever born, for the time being in the said province of Maryland, to wage war, and to pursue, even beyond the limits of their province, the enemies and ravagers aforesaid, infesting those parts by land and by sea, and (if God shall grant it) to vanquish and captivate them, and the captives to put to death, or, according to their discretion, to save, and to do all other and singular the things which appertain, or have been accustomed to appertain, unto the authority and office of a captain-general of an army.”

“And, if peradventure, hereafter it may happen that any doubts or questions should arise concerning the true sense and meaning of any word, clause, or sentence, contained in this our present charter, we will, charge, and command, that interpretation to be applied always, and in all things, and in all our courts and judicatories whatsoever, to obtain which shall be judged to be the more beneficial, profitable and favorable to the aforesaid now Baron of Baltimore, his heirs and assigns : Provided always, that no interpretation thereof be made, whereby God’s holy and true Christian religion, or the allegiance due to us, our heirs and successors, may in any wise suffer by change, prejudice, or diminution.” [Maxcy’s Laws of Maryland, i. pp. 1, 6, 10.]

SECTION 62.

Horse-Stealing—South Carolina, 1768.

“From and immediately after the passing of this act, all and every person and persons who shall be indicted and found guilty of stealing any horse, mare, gelding, colt or filly, shall, for the first offense, be punished with the loss of an ear, and be publicly whipped, not exceeding thirty-nine lashes, on the bare back ; and for the second offense shall be adjudged and deemed guilty of felony, and shall suffer death without the benefit of the clergy.” [Statutes of South Carolina, iv. 284.]

SECTION 63.

Horse-Stealing—Maryland, 1744.

All and every person and persons who shall hereafter feloniously take or steal any horse or horses, mare or mares, gelding or geldings, colt or colts, within this province, and all aiders, abettors and accessories, either before or after the fact, of any such takers or stealers, and all and every person or persons who shall buy, take or receive any stolen horse, mare, gelding or colt, knowing the same to be feloniously taken or stolen, and shall be thereof convicted, by confession or verdict, or be outlawed, or will not

upon arraignment answer directly according to law, or shall wilfully and of malice stand mute, or shall peremptorily challenge above twenty, shall for every such offense or offenses as aforesaid suffer death as a felon, without benefit of clergy. [Maxcy's Laws of Maryland, i. 217.]

SECTION 64.

Negro, Mulatto, or Indian Witnesses—Virginia, 1723.

And to the end such negroes, mulattoes or Indians, not being Christians, as shall hereafter be produced as evidences, on the trial of any slave for capital crimes, may be under the greater obligation to declare the truth, be it enacted, that where any such negro, mulatto or Indian shall, upon due proof made, or pregnant circumstances appearing before any county court within this colony, be found to have given a false testimony, every such offender shall, without further trial, be ordered by the said court to have one ear nailed to the pillory, and there to stand for the space of one hour, and then the said ear to be cut off; and thereafter, the other ear nailed in like manner, and cut off at the expiration of one other hour; and moreover, to order every such offender thirty-nine lashes, well laid on, on his or her bare back, at the common whipping-post. And be it further enacted, that at every such trial of slaves committing capital offenses, the person who shall be first named in the commission sitting on such trial, shall, before the examination of every negro, mulatto or Indian, not being a Christian, charge such evidence to declare the truth; which charge shall be in words following, viz: "You are brought hither as a witness, and, by the direction of the law, I am to tell you, before you give your evidence, that you must tell the truth, the whole truth, and nothing but the truth; and that if it be found hereafter that you tell a lie and give false testimony in this matter, you must, for so doing, have both your ears nailed to the pillory, and cut off, and receive thirty-nine lashes on your bare back, well laid on, at the common whipping-post." [Hening's Statutes, iv. 127, 128.]

SECTION 65.

Adultery—Connecticut, 1673.

“It is ordered by this court and the authority thereof, that whosoever shall commit adultery with a married woman, or one betrothed to another man, both of them shall be severely punished by whipping on the naked body, and stigmated or burnt on the forehead with the letter A on a hot iron, and he or she shall wear a halter about his or her neck on the outside of their garments during his or her abode in this colony, so as it may be visible; and as often as he or she shall be found without their halter, worn as aforesaid, they shall, upon information and proof of the same, made before any assistant or commissioner, be by them ordered to be whipped.” [Brinley’s Laws of Connecticut, p. 3 (edition of 1673 reprinted); see edition of 1750.]

SECTION 66.

Burglary and Robbery—Connecticut, 1750.

Be it enacted by the governor, council and representatives in general court assembled, and by the authority of the same, that whosoever shall commit burglary by breaking up any dwelling house or shop wherein goods, wares and merchandises are kept, or shall rob any person in the field or highway, such person so offending shall, for the first offense, be branded on the forehead with the capital letter B, on a hot iron, and have one of his ears nailed to a post and cut off, and also be whipped on the naked body fifteen stripes; and for the second offense such person shall be branded, as aforesaid, and have his other ear nailed and cut off, as aforesaid, and be whipped on the naked body twenty-five stripes; and if such person shall commit the like offense a third time he shall be put to death as being incorrigible. [Acts and Laws of Connecticut, printed by Timothy Green, printer to the governor and company of the colony of Connecticut, printed at New London, 1750, p. 18.]

SECTION 67.

Sunday Drunkenness and Profane Swearing—North Carolina, 1741.

Whereas, in well-regulated governments, effectual care is always taken that the day set apart for public worship be observed and kept holy, and to suppress vice and immorality: Wherefore, we pray that it may be enacted, and be it enacted by his excellency Gabriel Johnston, Esq., governor, by and with the advice and consent of his majesty's Council and General Assembly of this province, and it is hereby enacted by the authority of the same, that all and every person and persons whatsoever shall, on the Lord's Day, commonly called Sunday, carefully apply themselves to the duties of religion and piety; and that no tradesman, artificer, planter, laborer or other person whatsoever, shall, upon the land or water, do or exercise any labor, business or work, of their ordinary callings (works of necessity and charity only excepted), nor employ themselves either in hunting, fishing or fowling, nor use any game, sport or play, on the Lord's Day aforesaid, or any part thereof, upon pain that every person so offending, being of the age of fourteen years and upwards, shall forfeit and pay the sum of ten shillings, proclamation money.

And be it further enacted by the authority aforesaid, that every person convicted of drunkenness, by view of any justice of the peace, confession of the party, or oath of one or more witness or witnesses, such person so convicted shall, if such offense was committed on the Lord's Day, forfeit and pay the sum of five shillings of the like money; but if on any other day, the sum of two shillings and sixpence for each and every such offense. [Martin's Laws of North Carolina, i. 52, 53.]

SECTION 68.

Against Adultery, etc.—New Jersey, 1694.

“Whereas, amongst other heinous transgressions for which God Almighty afflicts a land, the sin of uncleanness is one of the greatest in the eyes of a pure God, for the suppression and discourage-

ment of which, be it enacted by the governor, council and representatives in this present Assembly met and assembled, and by the authority of the same, that what person soever, man or woman, shall be convicted thereof before any court of record, either by confession of the party, or other evident proofs, such person or persons so convicted (if both parties are unmarried) shall be fined in the sum of five pounds; and if either party is married, in the sum of ten pounds, together with the costs of court; and in case of non-payment of the fine to be imposed as aforesaid, to receive at the most public place where the crime shall be adjudged, thirty-nine stripes on the bare back, if either party is married persons, and if both married, then twenty stripes on the bare back, as aforesaid, unless they petition to be sold to serve a certain space of time, at the discretion of the court, to pay the fine and court charges aforesaid; and that the said person so convicted, as above, shall be bound in a recognizance to our sovereign lord and lady, the king and queen's majesties, in the sum of fifty pounds for the good behavior for the space of a year and a day thereafter." [Laws of New Jersey, pp. 527, 528.]

SECTION 69.

Drunkards to be Posted—New Hampshire, 1719.

"And be it further enacted by the authority aforesaid, that the selectmen in each town shall cause to be posted up in all public houses within each town in this province, a list of the names of all persons reputed drunkards or common tipplers, misspending their time and estates in such houses; and every keeper of such house, after notice given him, as aforesaid, that shall be convicted before one or more justices of the peace of entertaining or suffering any of the persons named in such list to drink or tiddle in his or her house, or any the dependencies thereof, shall forfeit and pay the sum of twenty shillings; one moiety thereof to him or them who shall inform of the same, and the other moiety to and for the use of the poor of the town where such offense shall be committed." [Laws of New Hampshire, 146.]

SECTION 70.

Theft—Massachusetts, 1736.

“And be it further enacted, by the authority aforesaid, that if any person convicted of a second theft, in manner aforesaid, shall presume a third time to steal any money, goods or chattel, to the value of three pounds lawful money, and be thereof convicted by due course of law, he shall be adjudged to suffer the pains of death without the benefit of clergy.” [Laws and Acts of Massachusetts (Kneeland’s edition), p. 283.]

SECTION 71.

Making Debtors Pay by Servitude—Pennsylvania, 1705.

No person shall be kept in prison for debts or fines longer than the second day of the next sessions after his or her commitment, unless the plaintiff shall make it appear that the person imprisoned hath some estate that he will not produce; in which case the court shall examine all persons suspected to be privy to the concealing of such estate, and if no estate sufficient shall be found the debtor shall make satisfaction by servitude, according to the judgment of the court where such action is tried (not exceeding seven years, if a single person and under the age of fifty and three years, or five years, if a married man and under the age of forty and six years), if the plaintiff require it, but if the plaintiff refuse such manner of satisfaction, according to the judgment of the court, as aforesaid, then, and in such a case, the prisoner shall be discharged in open court. [Dallas’ Laws of Pennsylvania, i. 73.]

SECTION 72.

Counterfeiting—Maryland, 1707.

Forasmuch as divers evil disposed persons have of late forged and counterfeited several foreign coins commonly received amongst her majesty’s subjects of this province for current in payment, to

the great damage of her majesty's said subjects, being thereunto encouraged for that there has not heretofore been any condign punishment by law provided for such offenders; wherefore, and in order to deter such like offenders for the future from such evil and pernicious practices, be it enacted, by the queen's most excellent majesty, by and with the advice and consent of her majesty's governor, Council and Assembly, and the authority of the same, that if any person or persons, after the publication of this act, falsely forge, counterfeit, or clip, any such kind of coin of gold or silver, as is not the proper coin of the kingdom of England, or shall aid, assist or abet any offender or offenders doing the same, either by concealing them, or by any other ways or means countenance such offenders in their said offenses, every such offender, his aiders, abettors and countenancers therein, for the first offense, shall be whipped, pilloried, and cropped in both ears, and for the second offense shall be branded on the cheek and banished, upon due conviction in any of her majesty's courts of record within this province. [Maxcy's Laws of Maryland, i. 72.]

SECTION 73.

Embezzling or Altering Wills—Maryland, 1715.

In case any person whatsoever shall, at any time hereafter, be legally convicted, by confession or otherwise, of wilfully or corruptly embezzling, impairing, raising or altering any will or record within this province, whereby the estate of inheritance or freehold of any person whatsoever shall be defeated, injured, or any ways altered, such person so convicted shall forfeit all his goods and chattels, lands and tenements, the one-half to our sovereign lord the king, his heirs and successors, for the support of government, the other half to the party grieved, and shall also be set in the pillory for the space of two hours, and have both his ears nailed thereto, and cut from off his head. [Maxcy's Laws of Maryland, i. 79.]

SECTION 74.

Stealing Above the Value of Twelve Pence—Maryland, 1715.

If any person or persons have been once convicted of any such thieving and stealing (except before excepted), and shall after be again presented for thieving and stealing of any goods or chattels, laid to be above the value of twelve pence, it shall not be tried and determined by any county court, but the party presented, upon such presentment, shall be proceeded against in the provincial court as a felon for simple felony, but shall not be punished by death, but only paying the fourfold, branding with a hot iron, or such other corporal punishment as the court shall adjudge. [Maxcy's Laws of Maryland, i. 89.]

SECTION 75.

New Hampshire, 1701.

Cursing and swearing made punishable by fine of one shilling for first offense, or be set in the stocks for two hours, if unable to pay fine. For every "oath or curse after the first" two shillings, or be set in the stocks not exceeding three hours. [Laws of New Hampshire, p. 16.]

Drunkenness punishable by fine of five shillings, or setting in the stocks not exceeding three hours. For second offense, in addition, shall find security, in the sum of ten pounds, for good behavior, or be sent to jail, to remain until he can find such security. [Ib. 16.]

SECTION 76.

Virginia, 1606.

"King James I. of England, in letters patent for "two several colonies and plantations, to be made in Virginia, and other parts and territories of America," said:

"We greatly commending, and graciously accepting of, their desires for the furtherance of so noble a work, which may, by the

providence of Almighty God, hereafter tend to the glory of his Divine Majesty, in propagating of Christian religion to such people as yet live in darkness and miserable ignorance of the true knowledge and worship of God, and may in time bring the infidels and savages living in those parts to human civility and to a settled and quiet government, do, by these our letters patents, graciously accept of and agree to their humble and well intended desires." [Hening's Statutes, i. 58.]

And we do specially ordain, charge and require the said presidents and councils, and the ministers of the said several colonies respectively, within their several limits and precincts, that they, with all diligence, care and respect, do provide, that the true word and service of God and Christian faith be preached, planted and used, not only within every of the said several colonies and plantations, but also as much as they may amongst the savage people which do or shall adjoin unto them, or border upon them, according to the doctrine, rights and religion now professed and established within our realm of England, and that they shall not suffer any person or persons to withdraw any of the subjects or people inhabiting or which shall inhabit within any of the said several colonies and plantations from the same, or from their due allegiance unto us, our heirs and successors, as their immediate sovereign under God; and if they shall find within any of the said colonies and plantations any person or persons so seeking to withdraw any of the subjects of us, our heirs or successors, or any of the people of those lands or territories, within the precincts aforesaid, they shall, with all diligence, him or them so offending cause to be apprehended, arrested and imprisoned, until he shall fully and thoroughly reform himself, or otherwise, when the cause so requireth, that he shall, with all convenient speed, be sent into our realm of England, here to receive condign punishment for his or their said offense or offenses. [Instructions issued by James I.; Hening's Statutes, i. 68, 69.]

SECTION 77.

From the Second Charter Granted by James I. to the Colonists of Virginia—1609.

And lastly, because the principal effect, which we can desire or

expect of this action, in the conversion and reduction of the people in those parts unto the true worship of God and Christian religion, in which respect we should be loth that any person should be permitted to pass that was suspected to effect the superstitions of the Church of Rome, we do hereby declare, that it is our will and pleasure, that none be permitted to pass in any voyage, from time to time to be made into the said country, but such as first shall have taken the oath of supremacy; for which purpose, we do, by these presents, give full power and authority to the treasurer for the time being, and any three of the council, to tender and exhibit the said oath to all such persons as shall at any time be sent and employed in the said voyage. [Hening's Statutes, i. 97, 98.]

SECTION 78.

Punishment of Rogues, etc.—Connecticut, 1750.

From "An act for restraining, correcting, suppressing and punishing rogues, vagabonds, common beggars and other lewd, idle, dissolute, profane and disorderly persons, and for setting them to work:"

"And it shall and may be lawful for the respective county courts in this colony, and for an assistant and justice of the peace, or two justices of the peace (*quorum unus*) to apprehend, send and commit to such houses of correction, to be kept and governed there according to the rules and orders of such houses, respectively, all rogues, vagabonds and idle persons going about from place to place begging.

"Also all persons using, or pretending to use, any subtle craft, juggling, or unlawful games or plays, or feigning themselves to have knowledge of physiognomy, palmistry, or pretending they can tell destinies, fortunes, or discover where lost or stolen goods may be found.

"Also common pipers, fiddlers, runaways, stubborn servants or children, common drunkards, common night walkers, pilferers, wanton and lascivious persons, either in speech or behavior, common railers or brawlers.

"Also such as are guilty of reviling and profane speaking, or

neglect their calling, misspend what they earn, and do not provide for themselves or the support of their families, upon due conviction of any of the offenses or disorders aforesaid." [Acts and Laws of Connecticut (1750), pp. 204, 205.]

SECTION 79.

Marriage—Connecticut, 1769.

"And whereas, the right of disposing of children in marriage belongs to parents, therefore to prevent irregular proceedings towards marriage contrary to such right, be it further enacted by the authority aforesaid, that if any man shall directly or indirectly endeavor to draw away the affections of any maid in this colony, on pretense of marriage, before he hath obtained liberty and allowance from the parents, governors, or guardians (if any be) of such maid, he shall forfeit for the first offense the sum of five pounds to the party aggrieved; and for the second offense towards the same party, double the said sum; and for the third offense, upon information or complaint made by such parents or governors, to any assistant or justice of the peace, and giving bond to prosecute the offender, he shall be committed to prison till the next county court; and upon hearing and conviction before the said court, he shall be adjudged to continue in prison until the next superior court shall see cause to release him, paying costs." [Acts and Laws of Connecticut (ed. of 1769), p. 144.]

SECTION 80.

Idle Persons—Massachusetts, 1633.

It is ordered that no person, householder or other, shall spend his time idly or unprofitably, under pain of such punishment as the county court shall think best to inflict. And the constables of every town, are required to use special care to take notice of offenders in this kind, especially of common coasters, unprofitable fowlers, and tobacco takers, and present the same to the next magistrate, who is hereby empowered to hear and determine the cause

or transfer it to the next court." [Laws of Massachusetts, (ed. of 1672), p. 47.]

SECTION 81.

An Act to Retrench the Extraordinary Expense at Funerals—Massachusetts, 1741.

Whereas, the giving of scarves, gloves, wine, rum and rings at funerals is a great and unnecessary expense and while practised will be detrimental to the province, and tend to the impoverishing of many families; be it therefore enacted by his excellency the governor, council and representatives in general court assembled and by the authority of the same, that no scarves, gloves (except six pair to the bearers and one pair to each minister of the church or congregation where any deceased person belongs), wine, rum or rings shall be allowed and given at any funeral upon the penalty of fifty pounds to be forfeited by the executor or administrator to the will or estates of the person interred, or other person that regulates or is at the expense of the funeral (to be paid by him out of his own estate), to be recovered by action, bill, plaint or information in any of his majesty's courts of record proper to try the same." [Temporary Laws and Acts of Massachusetts (edition of 1763), printed by order of the Governor, Council and House of Representatives, Boston, pp. 15, 16.]

SECTION 82.

Certain Criminal Offenses—Massachusetts, 1693.

"Whereas, the breach of sundry criminal laws of this province is only punishable by fines, and many times the breakers of them have not money to satisfy the same; be it therefore enacted by the governor, council and representatives, convened in General Assembly, and by authority of the same, that henceforward it shall be in the power of any justice of the peace that shall have cognizance thereof, to punish breakers of the peace, profaners of the Sabbath, and unlawful gamesters, drunkards, or profane swearers or cursers, by sitting in the stocks or putting into the cage not exceeding

three hours, or imprisonment twenty-four hours, or by whipping, not exceeding ten stripes, as the case may deserve, and where the offender has not wherewithal to satisfy the law in that case provided." [Acts and Laws of Massachusetts (Baskett's ed. of 1724), p. 46.]

SECTION 83.

Imprisonment for Debt—(Extract)—Massachusetts, 1641.

"Provided, nevertheless, that no man's person shall be kept in prison for debt, but when there is an appearance of some estate which he will not produce, to which end any court or commissioners, authorized by the general court, may administer an oath to the party or any other suspected to be privy in concealing his estate, but shall satisfy by service if the creditor require it, but shall not be sold to any but of the English nation." [Laws of Massachusetts (ed. 1672), p. 6.]

SECTION 84.

Lord's Day—New Hampshire, 1700.

"Be it enacted and ordained by the lieutenant governor, council and representatives, convened in General Assembly, and it is enacted by the authority of the same, that all and every person and persons whatsoever, shall, on that day carefully apply themselves to duties of religion and piety, publicly and privately; and that no tradesman, artificer, or other person whatsoever, shall, upon the land or water, do or exercise any labor, business, or work of their ordinary calling, nor use any game, sport, play or recreation on the Lord's Day, or any part thereof (works of necessity and mercy only excepted), upon pain that every person so offending shall forfeit five shillings. Further, it is ordered and declared, that no traveler, drover, horse-courser, wagoner, butcher, higgler, or any of their servants, shall travel on that day, or any part thereof, except by some adversity they were belated and forced to lodge in the woods, wilderness or highways the night before, and in such case to travel no further than the next inn or place of shel-

ter on that day, upon the penalty of twenty shillings." [Laws of New Hampshire, pp. 8, 9.]

SECTION 85.

Arms Carried to Church—Georgia, 1770.

An act "for the better security of the inhabitants, by obliging the male white persons to carry fire-arms to all places of public worship." [Marbury & Crawford's Digest, p. 398.]

SECTION 86.

Sunday—Georgia, 1762.

Working, hunting, fishing, bull-baiting, bear-baiting, horse-racing, foot-ball playing, "or other games, exercises, sports or pastimes whatsoever," prohibited on the Lord's Day—five shillings penalty for every such offense. [Marbury & Crawford's Digest, p. 410.]

SECTION 87.

No Person to Travel on the Lord's Day—Carolina, 1712.

"And be it further enacted, by the authority aforesaid, that no drover, wagoner, butcher, higgler, they or any of their servants, or any other traveler or person whatsoever, shall travel on the Lord's Day by land, neither shall any person or persons whatsoever travel on the Lord's Day by water in any barge, lighter, wherry, boat, canoe or periauger, excepting it be to go to the place of religious worship and to return again, or to visit or relieve any sick person, or unless the person or persons were belated the night before, and then to travel no further than to some convenient inn or place of shelter for that day, or upon some extraordinary occasion, for which he, she or they shall be allowed to travel under the hand of some justice of the peace of this province." [Statutes of South Carolina, ii. 397.]

SECTION 88.

Against Sports or Pastimes on the Lord's Day—Carolina, 1712.

"And be it further enacted, by the authority aforesaid, that no public sports or pastimes, as bear-baiting, bull-baiting, foot-ball playing, horse-racing, interludes or common plays, or other unlawful games, exercises, sports or pastimes whatsoever shall be used on the Lord's Day by any person or persons whatsoever, and that every person or persons offending in any of the premises shall forfeit, for every offense, the sum of five shillings current money." In case of the default or inability of persons to pay the forfeitures or penalties prescribed by this act the offending party was punished by being "set publicly in the stocks for the space of two hours." * * *

"If any master, mistress or overseer shall command, and cause and encourage any servant, slave or slaves to work on the Lord's Day, he, she or they shall forfeit for every such offense the sum of five shillings current money." "Dressing of meat in families," "dressing or selling of meat in inns, or dwelling houses, or other public houses, for such as can not be otherwise provided," and "selling of milk" in the morning and evening, were not offenses under this act. [Statutes of South Carolina, ii. 397, 398.]

SECTION 89.

Act of Conformity—Carolina.

Title of an act "read three times and ratified in open Assembly, the 6th day of May, 1704:"

"An act for the more effectual preservation of the government of this province by requiring all persons that shall hereafter be chosen members of the Commons House of Assembly, and sit in the same, to take the oaths and subscribe the declaration appointed by this act, and to conform to the religious worship in this province according to the Church of England, and to receive the sacrament of the Lord's Supper according to the rites and usage of the said church." [Statutes of South Carolina, ii. 232.]

SECTION 90.

Extracts from Laws of Delaware, Edition of 1752.

“Whosoever shall menace, assault, or beat his or her parent, and shall be duly convicted thereof, upon complaint first made by his or her parent, he, she or they so offending shall suffer imprisonment for any space of time not exceeding eighteen months, during which time he or she shall be kept at hard labor.” [p. 324.]

“If any negro or mulatto slave shall assault or beat any white person or persons, he, she or they, so offending, being duly convicted,” shall “stand in the pillory for any space of time not exceeding two hours, and be publicly whipped with any number of lashes not exceeding thirty-nine, on his, her or their bare back, well laid on.” [p. 325.]

“And be it further enacted by the authority aforesaid, that another statute, made in the first year of the reign of King James I., chapter the twelfth, entitled ‘An act against conjuration, witchcraft and dealing with evil and wicked spirits,’ shall be duly put in execution in this government, and of like force and effect as if the same were here repeated and enacted.” [p. 34.]

“And be it further enacted, that no negro or mulatto shall be employed by any constable or other officer within this government to whip or inflict any corporal punishment on any white person or persons, in any case whatsoever.” [p. 307.]

For traveling on Sunday, a fine of twenty shillings. Fishing, hunting or horse-racing, fine of ten shillings, or four hours in stocks. Gaming, playing or dancing, fine of five shillings, or four hours in the stocks. [Delaware Code, 1741, p. 122.]

SECTION 91.

Ministers—Non-conformists—Virginia, 1643.

For the preservation of the purity of doctrine and unity of the church, it is enacted that all ministers whatsoever which shall reside in the colony are to be conformable to the orders and constitutions of the Church of England, and the laws therein established, and not otherwise to be admitted to teach or preach publicly or

privately, and that the governor and council do take care that all non-conformists, upon notice of them, shall be compelled to depart the colony with all convenience. [Hening's Statutes, i. 277.]

SECTION 92.

Religion in Virginia—1661.

Extract from “‘Advisive Narrative concerning Virginia,’ presented to the right reverend father in God, Guilbert, lord bishop of London, Sept. 2, 1661.” [Printed at London, 1662. Force's Collection, iii.]

Virginia “is divided into several counties, and these counties contain in all about fifty parishes, the families whereof are dispersedly and scatteringly seated upon the sides of rivers, some of which, running very far into the country, bear the English plantations above a hundred miles, and being very broad, cause the inhabitants of either side to be listed in several parishes. Every such parish is extended many miles in length upon the river's side, and usually not above a mile in breadth, backward from the river, which is the common stated breadth of every plantation belonging to each particular proprietor, of which plantations, some extend themselves half a mile, some a mile, some two miles, some three miles and upward, upon the sides of those rivers; many of them are parted from each other by small rivers and creeks, which small rivers and creeks are seated [settled] after the manner of the great rivers. The families of such parishes, being seated after this manner at such distances from each other, many of them are very remote from the house of God, though placed in the midst of them. Many parishes as yet, want both churches and glebes, and I think, not above a fifth part of them are supplied with ministers; where there are ministers, the people meet together weekly but once on the Lord's Day, and sometimes not at all, being hindered by extremity of wind and weather; and divers of the more remote families, being discouraged by the length or tediousness of the way, through extremities of heat in summer, frost and snow in winter, and tempestuous weather in both, do very seldom repair thither. By which brief description of their manner of seating themselves in that wilderness, your lord-

ship may easily apprehend that their very manner of planting themselves hath caused them hitherto to rob God in a measure of that public worship and service which, as a homage due to his great name, he requires to be constantly paid to him at the times appointed for it, in the public congregations of his people in his house of prayer." * * * "The cause of their dispersed seating [settlements] was at first a privilege indulged by the royal grant, of having a right to fifty acres of land for every person they should transport at their own charges; by which means, some men transporting many servants thither, and others purchasing the rights of those that did, took possession of great tracts of land at their pleasure, and by degrees scattered their plantations through the country after the manner before described."

SECTION 93.

Witchcraft in Massachusetts—1692.

Barber's Historical Collections of Massachusetts (p. 27) says:

"In 1692 a great excitement was again revived in New England, on account of the supposed prevalence of witchcraft. It commenced this time in Danvers, then a part of Salem. * * * This contagion spread rapidly over the neighboring country, and soon appeared in various parts of Essex, Middlesex and Suffolk. * * * For a time those who were accused were persons of the lower classes; but at length some of the first people in rank and character were accused of the crime of witchcraft. The evil had now become awfully alarming. Before the close of September nineteen persons were executed, and one (Giles Corey) was pressed to death for refusing to put himself on a trial by jury. * * * At length the magistrates became convinced that their proceedings had been rash and indefensible. A special court was held on the subject, and fifty who were brought to trial were acquitted, excepting three, who were reprieved by the governor."

SECTION 94.

Witchcraft in Pennsylvania—1683.

Margaret Matson was indicted for witchcraft at Philadelphia, in December, 1683. After a charge from the governor (Penn), the jury returned the following verdict: "The prisoner is guilty of the common fame of being a witch, but not guilty as she stands indicted." [Collection of New Jersey Historical Society, iii. p. 103; Pennsylvania Records, i. 41.]

SECTION 95.

Witchcraft.

Grand jury's bill against Mary Osgood, of the province of Massachusetts Bay—1692:

"The jurors for our sovereign lord and lady, the king and queen, present, that Mary Osgood, wife of Captain John Osgood, of Andover, in the county of Essex, about eleven years ago, in the town of Andover aforesaid, wickedly, maliciously and feloniously, a covenant with the Devil did make, and signed the Devil's book, and took the Devil to be her god, and consented to serve and worship him, and was baptised by the Devil, and renounced her former Christian baptism, and promised to be the Devil's, both body and soul forever, and to serve him; by which diabolical covenant, by her made with the Devil, she, the said Mary Osgood, is become a detestable witch, against the peace of our sovereign lord and lady, the king and queen, their crown and dignity, and the laws in that case made and provided. A true bill.

"ROBERT PAGE, Foreman.

[Mary Osgood was found "not guilty."] [Collections of the Massachusetts Historical Society for the year 1800, p. 241.]

SECTION 96.

Virginia—Trial for Witchcraft, 1706.

In 1706, Grace Sherwood, of Princess Anne county, Virginia,

was tried for witchcraft, and the record of the trial shows that the court, after a consideration of the charges and the testimony, ordered the sheriff "to take the said Grace into his custody, and to commit her body to the common jail, there to secure her by irons or otherwise" until "brought to a future trial." [Howe's Historical Collections of Virginia, p. 438.]

SECTION 97.

Arms at Church—South Carolina, 1765.

In 1765, a grand jury at Charleston, South Carolina, presented "as a grievance the want of a law to oblige the inhabitants of Charleston to carry arms to church on Sundays, or other places of worship." [Statutes of South Carolina, ii. 755.]

SECTION 98.

John Wesley in Georgia—1737.

Extract from a work printed at Charleston, South Carolina, in 1741, entitled "A True and Historical Narrative of the Colony of Georgia, in America, from the First Settlement thereof until this Present Period."

"And now [1737] to make our subjection the more complete, a new kind of tyranny was this summer begun to be imposed upon us; for Mr. John Wesley, who had come over and was received by us as a clergyman of the Church of England, soon discovered that his aim was to enslave our minds as a necessary preparative for enslaving our bodies. The attendance upon prayers, meetings and sermons, inculcated by him so frequently and at improper hours, inconsistent with necessary labor, especially in an infant colony, tended to propagate a spirit of indolence and of hypocrisy amongst the most abandoned, it being much easier for such persons, by an affected show of religion and adhesion to Mr. Wesley's novelties, to be provided by his procurement from the public stores than to

use that industry which true religion recommends; nor, indeed, could the reverend gentleman conceal the designs he was so full of, having frequently declared that he never desired to see Georgia a rich, but a religious colony. At last all persons of any consideration came to look upon him as a Roman Catholic." [See Georgia Historical Collections, vol. ii. p. 280.]

SECTION 99.

Freedom of Religion—Virginia, 1776.

A declaration of rights made by the representatives of the good people of Virginia, assembled in full and free convention, which rights do pertain to them and their posterity as the basis and foundation of government. Agreed to unanimously, June 12, 1776, in convention at Williamsburgh, Virginia:

"XVI. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence, and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love and charity towards each other." [Hening's Statutes at Large, i. 49.]

In referring to the doctrine of the divine right of kings, and the duties in subjects of unlimited submission, passive obedience and non-resistance, on pain of eternal punishment, John Adams, in a letter addressed to William Tudor, says:

"These doctrines have been openly and boldly asserted and defended, since my memory, in the town of Boston and in the town of Quincy, by persons of no small consideration in the world, whom I could name, but I will not, because their posterity are much softened from this severity." [Works of John Adams, vol. x. p. 357.]

SECTION 100.

Grant of Carolina—1663.

The first clause of the first charter granted to the proprietors of Carolina, by Charles II., is in the words following, viz:

"Whereas, our right trusty and right well beloved counselors, Edward, Earl of Clarendon, our high chancellor of England, and George, Duke of Albermarle, master of our horse and captain-general of all our forces, our right trusty and well beloved William Lord Craven, John Lord Berkley, our right trusty and well beloved counselor, Anthony Lord Ashley, chancellor of our exchequer, Sir George Carteret, knight and baronet, vice chamberlain of our household, and our trusty and well beloved Sir William Berkley, knight, and Sir John Colleton, knight and baronet, being excited with a laudable and pious zeal for the propagation of the Christian faith and the enlargement of our empire and dominions, have humbly sought leave of us, by their industry and charge, to transport and make an ample colony of our subjects, natives of our kingdom of England, and elsewhere within our dominions, unto a certain country hereafter described, in the parts of America not yet cultivated or planted, and only inhabited by some barbarous people who have no knowledge of Almighty God."

By the third clause of the charter the proprietors were authorized "to build and found churches, chapels and oratories in convenient and fit places," and "to cause them to be dedicated and consecrated according to the ecclesiastical laws" of the kingdom of England. [South Carolina Statutes, i. 22, 23.]

In the second charter granted to the proprietors of Carolina, in 1665, it was declared that as "it may happen that some of the people and inhabitants of the said province can not, in their private opinions, conform to the public exercise of religion according to the liturgy, form and ceremonies of the Church of England, or take and subscribe the oaths and articles made and established in that behalf," the proprietors were invested with "full and free license, liberty and authority," by such ways and means as they should think fit, to give and grant such persons "indulgencies and dispensations in that behalf, for and during such time and times, and with such limitations and restrictions as they, the said" proprietors, should, "in their discretion, think fit and reasonable." [Statutes of South Carolina, i. 40.]

SECTION 101.

Witchcraft in Maryland—1666.

The commission given to the magistrates appointed for Somerset county, in Maryland, directed them, under oath, to inquire, among other things, respecting witchcrafts, enchantments, sorceries and magic arts.

SECTION 102.

Connecticut—1638.

According to a constitution adopted by the "inhabitants and residents of Windsor, Hartford, and Weathersfield," "dwelling in and upon the river Connecticut and the lands thereunto adjoining," the magistrates were invested with "power to administer justice according to the laws here established, and for want thereof, according to the rule of the word of God." [Code of Connecticut, 1650 (Hartford ed. of 1833), p. 12.]

The most ancient record of the colony of New Haven contains the following declarations of June 4, 1639:

"The scriptures do hold forth a perfect rule for the direction and government of all men, in all duties which they are to perform to God and man, as well in the government of families and commonwealths as in matters of the church."

"That church members only shall be free burgesses, and that they only shall choose magistrates and officers among themselves, to have the power of transacting all public civil affairs of this plantation, of making and repealing laws, dividing of inheritances, deciding of differences that may arise, and doing all things or business of like nature." [Ib. 114.]

The agreement which contains the foregoing declarations was signed by one hundred and eleven persons.

PART III.

EXTRACTS FROM OLD ENGLISH STATUTES, ETC., RELATING TO RELIGION AND MORALS.

SECTION 103.

Sir Francis Bacon, a great English lawyer, in a proposition addressed to King James I., said :

“The laws of England are wise ; they are just and moderate laws ; they give to God, they give to Cæsar, they give to the subjects that which appertaineth. It is true they are as mixed as our language, compounded of British, Roman, Saxon, Danish and Norman customs. As our language is so much the richer, so the laws are the more complete.” [Bacon’s Law Tracts, p. 3.]

Among the laws or canons enacted under King Edgar, who died in 975, the following appear :

“We enjoin that every priest, in addition to lore, diligently learn a handicraft.”

“We enjoin that no learned priest put to shame the half learned, but improve him, if he know better.”

“We enjoin that no high-born priest despise the low-born, because, if it be rightly considered, then are all men of one birth.”

“We enjoin that every priest zealously promote Christianity, and totally extinguish every heathenism, and forbid well-worshipping, and necromancies, and divinations, and enchantments, and man-worshipings, and the vain practices which are carried on with various spells, with frith-splots, and with elders, and also with various other trees, and with stones, and with many various delusions with which men do much of what they should not.”

“We enjoin that priests, every Sunday, preach to the people, and always set a good example.”

“We enjoin that the priests guard themselves against drunkenness, and diligently reprehend it in other men.” [Ancient Laws of England, ii. 274–249–255.]

SECTION 104.

By the laws of William I. of England, who died in 1087, “it was expressly prohibited that any one should be hanged or put to death for any offense, but that his eyes should be pulled out, * * * his hands or feet cut off (or his body otherwise mutilated), according to the degree of his crime.” [Hale’s Pleas of the Crown, i. 11.]

SECTION 105.

False News—1275.

“It is commanded that from henceforth none be so hardy to tell or publish any false news or tales, whereby discord or occasion of discord or slander may grow between the king and his people or the great men of the realm; and he that so doeth shall be taken and kept in prison until he hath brought him into court which was the first author of the tale.” [Pulton’s Collections of Statutes, p. 31.]

SECTION 106.

Laborers—1360.

“Laborers, etc., departing from their service into another county, shall be burned in the forehead with the letter F.” [Pulton’s Collection of Statutes, 181.]

SECTION 107.

Punishment of Heresy—1400.

Extract from a statute passed in the second year of the reign of Henry IV :

"The Catholic faith and the holy church, amongst all the kingdoms in the world, hath been most devoutly observed in England, and endowed, which hath not been troubled with heresy. And therefore, none shall preach without the license of the diocesan of the same place; none shall preach, or write any book, contrary to the Catholic faith, or the determination of the holy church; none shall make any conventicles of such sects and wicked doctrines, nor shall favor such preacher. Every ordinary may convent before him and imprison any person suspected of heresy. An obstinate heretic shall be burned before the people." ["The Statutes at Large, in Paragraphs, from Magna Charta until this time, carefully examined by the Rolls of Parliament, etc." "By Joseph Keble, of Gray's Inn, Esq." "Printed by the Assigns of John Bill and Christopher Barker, His Majesty's Printers." London: MDCLXXVI. (1676), p. 194. Pulton's Collection of Statutes, p. 252.]

SECTION 108.

An act for the punishment of heretics, passed in the second year of the reign of Henry IV. of England, 1400, declares that "a certain new sect," "usurping the office of preaching, do perversely and maliciously, in divers places within the said realm, under the color of dissembled holiness, preach and teach these days, openly and privily, divers new doctrines, and wicked, heretical and erroneous opinions." * * * "They hold and exercise schools, they make and write books, they do wickedly instruct and inform people, and as much as they may excite and stir them to sedition and insurrection, and make great strife and division among the people, and other enormities horrible to be heard daily do perpetrate and commit, in subversion of the said Catholic faith and doctrine of the holy church, in diminution of God's honor, and also in destruction of the estate, rights and liberties of the said Church of England." The statute declares that such persons, upon conviction, shall "be burnt," "in an high place," "that such punishment may strike in fear to the minds of others." [Pickering's Statutes at Large of England, ii. 415-418. Codex Juris Ecclesiastici Anglicani, i. 403.]

SECTION 109.

By a statute passed in 1414, in the second year of the reign of Henry V., it is enacted, "That all temporal officers be sworn to destroy all heresies and errors, commonly called Lollardy." [Hale's Pleas of the Crown, i. 399.]

SECTION 110.

A statute passed in the twenty-fifth year of the reign of Henry VIII. declares that heretics who refuse to abjure "shall be committed to the lay power to be burned in open places for example of others as hath been accustomed." [Codex Juris Ecclesiastici Anglicani, vol. i. 403.]

SECTION 111.

A statute passed in the thirty-first year of the reign of Henry VIII. contains the following provisions:

"If any person, by word, writing, printing, ciphering, or any otherwise, do preach, teach, dispute or hold opinion that in the blessed sacrament of the altar, under form of bread and wine (after the consecration thereof), there is not present really the natural body and blood of our Savior, Jesus Christ, conceived of the Virgin Mary; or, that after the consecration there remaineth any substance of bread or wine, or any other substance but the substance of Christ, God and Man; or, that in the flesh, under the form of bread, is not the very blood of Christ; or, that with the blood, under the form of wine, is not the very flesh of Christ, as well apart as though they were both together; or affirm the said sacrament to be of other substance than as aforesaid, or deprave the said blessed sacrament; then he shall be adjudged an heretic, and suffer death by burning, and shall forfeit to the king all his lands, tenements, hereditaments, goods and chattels, as in case of high treason." [Statutes at Large of England (ed. of 1676), p. 499.]

SECTION 112.

A statute passed in the first year of the reign of Edward VI. (1547), concerning runaway servants and vagabonds, contains the following provisions :

“ If any person shall bring to two justices of the peace any runagate servant, or any other which liveth idly and loiteringly by the space of three days, the said justices shall cause the said idle and loitering servant or vagabond to be marked with an hot iron on the breast with the mark V, and adjudge him to be a slave to the same person that brought or presented him, to have to him, his executors or assigns, for two years after, who shall take the said slave, and give him bread, water or small drink and refuse meat, and cause him to work by beating, chaining or otherwise, in such work and labor as he shall put him unto, be it never so vile. And if such slave absent himself from his said master within the term of two years, by the space of fourteen days, then he shall be adjudged by two justices of the peace to be marked on the forehead or the ball of the cheek with an hot iron, with the sign of an S, and further shall be adjudged to be slave to his said master forever; and if the said slave shall run away the second time, he shall be adjudged a felon.” [Statutes at Large of England (ed. 1676), p. 624.]

SECTION 113.

It was enacted in Scotland, in 1563, “ that all who used witchcraft, sorcery, necromancy, or pretended skill therein, and all consultants of witches and sorcerers, should be punished capitally; upon which statute numberless innocent persons were tried and burned to death, upon evidence which, in place of affording reasonable conviction to the judge, was fraught with absurdity and superstition.” [Erskine’s Institutes of the Law of Scotland, p. 1180.]

SECTION 114.

Reading the Bible and Preaching.

The following provisions appear in a statute which was passed in the thirty-fifth year of the reign of Henry VIII. :

"There shall be no annotations or preambles in Bibles or New Testaments in English. The Bible shall not be read in English in any church. No women or artificers, prentices, journeymen, servingmen, of the degrees of yeomen or under, husbandmen nor laborers, shall read the New Testament in English. Nothing shall be taught or maintained contrary to the king's instructions. And if any spiritual person preach, teach or maintain anything contrary to the king's instructions or determinations, made or to be made, and shall be thereof convict, he shall for his first offense recant, for his second abjure and bear a fagot, and for his third shall be adjudged a heretic, and be burned and lose all his goods and chattels." [Statutes at Large of England (ed. 1676), p. 561.]

The following opinion appears in the English Common Law Reports—Hill vs. Gould, Vaugh. 327:

"Whatever is declared by an act of Parliament to be against God's law, must be so admitted by us, because it is so declared by an act of Parliament."

SECTION 115.

A statute against quarreling and fighting in churches and church-yards, passed in 1552:

"Forasmuch as of late divers and many outrageous and barbarous behaviors and acts have been used and committed by divers ungodly and irreligious persons by quarreling, brawling, fraying and fighting openly in churches and church-yards; therefore, it is enacted by the king, our sovereign lord, with the assent of the lords, spiritual and temporal, and the commons in this present Parliament assembled, and by the authority of the same, that if any person whatsoever shall, at any time after the first of May next coming, by words only, quarrel, chide or brawl in any church or church-yard, that then it shall be lawful unto the ordinary of the place where the same offense shall be done, and proved by two lawful witnesses, to suspend every person so offending, that is to say, if he be a layman, *ab ingressu ecclesiæ*, and if he be a clerk, from the administration of his office for so long a time as the said ordinary shall by his discretion think meet and convenient, according to the

fault." For smiting or laying violent hands in church or church-yard, to be excommunicated.

For drawing any weapon in church or church-yard, with intent to strike another, to have one of his ears cut off, or be "marked and burned in the cheek with a hot iron, having the letter F therein," and be excommunicated. [Pickering's Statutes at Large of England, vol. v. 353, 354.]

SECTION 116.

An act of the first year of the reign of Elizabeth (1558) declares that "no manner of order, act or determination, for any matter of religion, or cause ecclesiastical, had or made by the authority of this present Parliament, shall be accepted, deemed, interpreted or adjudged at any time hereafter, to be any error, heresy, schism or schismatical opinion, any order, decree, sentence, constitution or law, whatsoever the same be, to the contrary notwithstanding." [Codex Juris Ecclesiastici Anglicani, vol. i. 425.]

SECTION 117.

Punishment of High Treason, 1572.

The judgment pronounced, according to the usual form in the year 1572, "against a peer of the realm," was in these words:

"Forasmuch as thou ——— hast been charged with high treason, and hast denied thyself to be guilty, and hast submitted thyself to the trial of thy peers, who have found thee guilty, this bench judgeth thee to be led back from hence to the Tower, then to be laid on a hurdle and drawn through the midst of the city to the gallows, there to be hanged, and being half dead, to be taken down, boweled, and after thy head is cut off, to be quartered into four parts. Thy head and body to be done according to the queen's pleasure, and God have mercy on thy soul." [Brydall's Notes upon the Judgment in High Treason (London ed. 1679), p. 121.]

SECTION 118.

In the twenty-third year of the reign of Elizabeth, a statute which contains the following provisions, was enacted :

“If any person shall advisedly and with a malicious intent, of his own imagination, speak any false and slanderous news or tales against the queen that now is, then he shall have both his ears cut off, except he pay two hundred pounds to the queen’s use in the exchequer within two months after judgment.” [Pulton’s Collection of Statutes, p. 1133.]

SECTION 119.

Destruction of Altars, etc., in 1643.

An act of the Parliament of Great Britain, passed on the 28th of August, 1643, contains the following provisions:

“The lords and commons in Parliament, taking into their serious considerations how well-pleasing it is to God, and conducive to the blessed reformation in his worship, so much desired by both houses of Parliament, that all monuments of superstition or idolatry should be removed and demolished, do ordain, that in all and every the churches and chapels, as well cathedral and collegiate, as other churches and chapels and other usual places of public prayer authorized by law within this realm of England and dominion of Wales, all altars and tables of stone shall, before the first day of November, in the year of our Lord God 1643, be utterly taken away and demolished.” Also, “All communion tables removed from the east end of every church,” etc., “or chancel of the same,” “and placed in some other fit and convenient places” in the churches, etc. Rails before the altars to be taken away. Raised chancel grounds to be taken down. All tapers, candlesticks and basins to be removed. “All crucifixes, crosses, and all images and pictures,” and “superstitious inscriptions” to “be taken away and defaced.” [Scobell’s Collection of Acts of Parliament, i. p. 53.]

“All representations of any of the persons of the Trinity, or of any angel or saint in or about any cathedral,” etc., “or within any open place within this kingdom, shall be taken away, defaced

and utterly demolished." Copes, surplices, superstitious vestments, holy water fonts and organs prohibited in churches, etc. [Ib. p. 70.]

SECTION 120.

Act of Parliament, 1648—The Year Before the Execution of Charles I.—For Punishing Blasphemies and Heresies.

"For the preventing of the growth and spread of heresy and blasphemy, be it ordained by the lords and commons in this present Parliament assembled, that all such persons as shall from and after the date of this present ordinance, willingly, by preaching, teaching, printing or writing, maintain and publish that there is no God, or that God is not present in all places, doth not know and foreknow all things, or that he is not almighty, that he is not perfectly holy, or that he is not eternal, or that the Father is not God, the Son is not God, or that the Holy Ghost is not God, or that they three are not one eternal God; or that shall in like manner maintain and publish that Christ is not God equal with the Father, or shall deny the Manhood of Christ, or that the Godhead and Manhood of Christ are several natures, or that the humanity of Christ is pure and unspotted of all sin; or that shall maintain and publish, as aforesaid, that Christ did not die nor rise from the dead, nor is ascended into heaven bodily, or that shall deny his death is meritorious in the behalf of believers; or that shall maintain and publish, as aforesaid, that Jesus Christ is not the Son of God; or that the holy scriptures (viz.) of the Old Testament, Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, 1 Samuel, 2 Samuel, 1 Chronicles, 2 Chronicles, Ezra, Nehemiah, Esther, Job, Psalms, Proverbs, Ecclesiastes, the Song of Songs, Isaiah, Jeremiah, Lamentations, Ezekiel, Daniel, Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, Malachi; of the New Testament, the Gospels according to Matthew, Mark, Luke, John, the Acts of the Apostles, Paul's Epistles to the Romans, Corinthians the first, Corinthians the second, Galatians, Ephesians, Philippians, Colossians, Thessalonians the first, Thessalonians the second, to Timothy the first, to Timothy the second, to Titus, to Philemon, the Epis-

tle to the Hebrews, the Epistle of James, the first and second Epistles of Peter, the first, second and third Epistles of John, the Epistle of Jude, the Revelation of John, is not the word of God, or that the bodies of men shall not rise again after they are dead, or that there is no day of judgment after death—all such maintaining and publishing of such error or errors with obstinacy therein shall, by virtue hereof, be adjudged felony." * * *

"The party shall be indicted for felonious publishing and maintaining such error, and in case the indictment be found, and the party upon his trial shall not abjure his said error and defense and maintenance of the same, he shall suffer the pains of death, as in case of felony, without benefit of clergy." [Scobell's Collection of the Acts and Ordinances of Parliament, part i. (London ed. of 1658) pp. 149, 150.]

"And be it further ordained by the authority aforesaid, that all and every person or persons that shall publish or maintain as aforesaid, any of the several errors hereafter ensuing, viz: That all men shall be saved; or that man, by nature, hath free will to turn to God; or that God may be worshiped in or by pictures or images; or that the soul of any man after death, goeth neither to heaven or hell, but to purgatory; or that the soul of man dieth or sleepeth when the body is dead; or that revelations or the workings of the spirit are a rule of faith or Christian life, though diverse from or contrary to the written word of God; or that man is bound to believe no more than by his reason he can comprehend; or that the moral law of God contained in the ten commandments is no rule of Christian life; or that a believer need not repent, or pray for pardon of sins; or that the two sacraments of baptism and the Lord's Supper are not ordinances commanded by the word of God; or that the baptizing of infants is unlawful, or such baptism is void, and that such persons ought to be baptized again, and in pursuance thereof shall baptize any person formerly baptized; or that the observation of the Lord's Day, as it is enjoined by the ordinances and laws of this realm, is not according, or is contrary to the word of God; or that it is not lawful to join in public prayer or family prayer, or to teach children to pray; or that the churches of England are no true churches, nor their ministers and ordinances true ministers and ordinances; or that the church government by presbytery is anti-

Christian, or unlawful; or that magistracy, or the power of the civil magistrate, by law established in England, is unlawful; or that all use of arms, though for the public defense (and be the cause never so just), is unlawful," such person, "on refusing to renounce his said error in the public congregation, in the same parish from whence the complaint doth come," shall be "committed to prison" until he finds security that he will "not publish or maintain" such error or errors any more. [Ib. p. 150.]

SECTION 121.

Discovery of Witches.

In 1618, a volume entitled "The Country Justice," by Michael Dalton, Gentleman, of Lincoln's Inn, was printed at London, for the Society of Stationers. In this work Mr. Dalton says:

"Now against these witches the justices of the peace may not always expect direct evidence, seeing all their works are works of darkness, and no witnesses present with them to accuse them; and therefore, for their better discovery, I thought good here to insert certain observations out of the book of the discovery of the witches that were arraigned at Lancaster, A. D. 1612, before Sir James Altham and Sir Edward Bromely, judges of assize there:

"1. They have ordinarily a familiar or spirit, which appeareth to them.

"2. The said familiar hath some bigg, or place upon their body where he sucketh them.

"3. They have often pictures of clay or wax (like a man, etc.) found in their house.

"4. If the dead body bleed upon the witches touching it.

"5. The testimony of the person hurt, upon his death.

"6. The examination and confession of the children or servants of the witch.

"7. Their own voluntary confession, which exceeds all other evidence."

In the year 1609, says Dr. Priestley, six hundred sorcerers were condemned in the jurisdiction of the Parliament of Bordeaux, in France, and most of them were burned.

SECTION 122.

A volume published in London, in 1705, for the use of justices of the peace, etc., contains forms of indictments for the following offenses, viz:

- "For saying the king is a papist."
 - "For harboring a priest."
 - "For saying and hearing of mass."
 - "For killing a man by witchcraft."
 - "For bewitching a horse."
 - "Against a minister for not using the Book of Common Prayer."
 - "Against Quakers for unlawful meetings."
 - "For wearing an Agnus Dei."
 - "For marrying without a ring."
 - "For not making the sign of the cross in baptism."
 - "For eating flesh on days prohibited." [See *Officium Clerici Pacis*, London ed. 1705.]
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SECTION 123.

Beggars and Vagabonds.

By a statute of Scotland (1424), "all between the ages of fourteen and seventy, who begged without a badge or testimonial given them by the magistrate, were to be burned on the cheek and banished." [Erskine's *Institute of the Law of Scotland*, p. 1192.]

SECTION 124.

Interpretation of Statutes—Scotland—James I.—1427.

"That nane interpret the kingis statutes wrangeouslie.
 "Item.—The king of deliverance of counsell, be maner of statute forbids that na man interpret his statutes utherwaies then the statutes bearis, and to the intent and effect that they were maid for, and as the maker of them understoode; and quhasa dois the contrarie, sall be punished at the kingis will." [Laws and Acts of Parliament made by King James I. and his royal successors, kings of Scotland, p. 18. Edinburgh, 1681. MDCLXXXI.]

SECTION 125.

Laborers and Husbandmen in Ireland—1447.

In 1447 the Parliament of Ireland enacted a statute, from which the following extract is copied:

“The commons are much grieved with this: That the sons of husbandmen and laborers, which in old time were wont to be laborers and travailers upon the ground, as to hold ploughs, to ere the ground, and to travail with all other instruments belonging to husbandry, to manure the ground, and do all other works, lawful and honest, according to their state; and now they will be kearnes, evil-doers, wasters, idle men, and destructioners of the king our sovereign lord’s liege people, to great decay of the said commons, and impoverishment of their state. Wherefore it is ordained and agreed by authority of this present Parliament, to withstand such ill government of the said persons, and to put them to better rule, and for the common profit of all the liege people of the said land of Ireland, that the said persons from henceforward, to comfort the said liege people in their husbandry, and in all other works lawful and profitable, shall be laborers and travailers upon the ground as they were in old time, and in all other works and labors lawful and honest according to their state. And if it fortune that any such son of husbandman or of laborer, in time to come, do the contrary of this that is ordained and established by this present Parliament, and thereof be lawfully convicted before any judge of the king, or judge of franchise, that he shall have the imprisonment of one year, and over that, he shall make fine to the king, or to the lord of the franchise, according to the discretion of the judge before whom he is convicted.” [Collection of Statutes of Ireland (printed at Dublin, 1678), p. 6.]

SECTION 126.

Pressing to Death.

In the year 1788 Dr. Joseph Priestley, in his lectures on general policy, referred to a practice which he called “the late English

practice of crushing a person to death who will not plead." The judgment against a person who was to be pressed to death was :

"That he be sent to the prison from whence he came, and put into a dark, lower room, and there to be laid naked upon the bare ground upon his back, without any clothes or rushes under him or to cover him, * * * his legs and arms drawn and extended with cords to the four corners of the room, and upon his body laid as great a weight of iron as he can bear, and no more. And the first day he shall have three morsels of barley bread, without drink ; the second day he shall have three draughts of water, of water standing next the door of the prison, without bread ; and this to be his diet till he die." [History of the Pleas of the Crown, by Sir Matthew Hale, vol. ii. p. 319.]

As early, at least, as the time of Edward I., who was proclaimed king in 1265, a kind of punishment which was called "the strong and hard pain," or pressing to death, was, by the law of England, inflicted on those who stood stubbornly mute on their arraignment for felony. Various cases are recorded of the infliction of this punishment in England ; and, in Massachusetts, in 1692, "Giles Cory, eighty years old, the husband of a reputed witch, stood mute upon his trial, and was condemned to be pressed to death." [American Cyclopaedia, xiii. 227.] Women in England were subjected to the same tortures under the law. The punishment of pressing to death was virtually abolished by a statute passed in the twelfth year of the reign of George III. (1772), after having been a lawful mode of punishment for more than five hundred years.

SECTION 127.

Burning Heretics.

The writ de hæretico comburendo (that is, of burning the heretic) is thought by some to be as old as the common law itself. The conviction of heresy was, says Blackstone, "before the archbishop himself, in a provincial synod," and "the delinquent was delivered over to the king, to do as he should please with him ; so that the crown had a control over the spiritual power, and might

pardon the convict by issuing no process against him; the writ de hæretico comburendo being not a writ of course, but issuing only by the special direction of the king in council."

Afterwards, by an act of Parliament of the second year of the reign of Henry IV. (1401), "the diocesan alone, without the intervention of the synod, might convict of heretical tenets, and unless the convict abjured his opinions, or if after abjuration he relapsed, the sheriff was bound, *ex officio*, if required by the bishop, to commit the unhappy victim to the flames, without waiting for the consent of the crown." The writ for burning heretics was abolished by statute, 29 Charles II. [Blackstone's Commentaries, book iv. 46, 47.]

SECTION 128.

Instruments of Torture.

In Maclaurin's "Remarkable Criminal Cases," tried in Scotland, the following statements appear:

"Lord Roystown observes: The instruments in use among us in later times were the boots and a screw for squeezing the thumbs, thence called *thummikins*. The boot was put upon the leg and wedges driven in, by which the leg was squeezed sometimes so severely, that the patient was not able to walk for a long time after; and even the *thummikins* did not only squeeze the thumbs, but frequently the whole arm was swelled by them. Sometimes they kept them from sleep for many days, as was done to one Spence, anno 1685; and frequently, poor women accused of witchcraft, were so used. Anciently, I find, other torturing instruments were used, as *pinniewinks* or *pilliewinks*, and *caspitaws* or *caspicaws*, in the master of Orkney's case, 24th June, 1596, and *tosots*, August, 1632; but what these instruments were I know not, unless they are other names for the boots and *thummikins*. The boots and *thummikins* were, it is said, imported into this country from Russia, by a Scotchman, who had been long an officer in the service of that power." [Maclaurin's Criminal Cases, Introduction, p. xxxvi.]

SECTION 129.

Reward for Killing Rebellious Slaves in Jamaica—1716.

“And be it further enacted by the authority aforesaid, that if any freeman or servant shall kill or take any rebellious slave or slaves, he or they shall forthwith receive as a reward five pounds current money; and if any slave or slaves shall kill or take such rebellious slave or slaves, he or they shall receive forty shillings of like money, and a serge coat with a red cross on the right shoulder, which the church wardens of each of the respective parishes where such rebellious slave or slaves shall be killed or taken are hereby required to pay out of the parish stock.” [Laws of Jamaica, p. 235.]

SECTION 130.

Canada—1627.

Extract from articles granted by the Cardinal de Richelieu, “for the establishment of the Company of the Hundred Associates for the Trade of Canada”—April 27, 1627:

“The king, being desirous now, as the late King Henry the Great, his father, heretofore was, of causing to be sought out and discovered in the lands, regions and countries of New France, called Canada, some fit and proper place for the establishment of a colony, for the purpose, with divine assistance, of introducing to the people who inhabit the same the knowledge of the only God, cause them to be civilized and instructed in the Catholic, Apostolic and Roman religion and faith, his eminence the Cardinal de Richelieu, grand master, chief and general superintendent of the trade and manufactures of France, being obliged by the duties of his office to forward the pious intentions and designs of their majesties, the kings above named, has deemed that the only means of introducing these people to the knowledge of the only God is to people these regions with French born Catholics, who will by their example dispose the people to embrace the Christian religion and to lead a civilized life, and by establishing therein the royal authority be the means of creating, in his said newly discovered regions, some trade which may become advantageous to his majes-

ty's subjects." [Mercure Francois, vol. xiv. part 2, p.232—Edicts and Ordinances relative to Seignorial Tenures in Canada, p. 5.]

SECTION 131.

In the early French colonies in America all religious rites, other than those of the "Apostolic Roman Catholic Church," were prohibited by royal edicts. [Code Noir—Edicts of 1685 and of 1724.]

SECTION 132.

Louisiana, under the Government of Spain.

In 1797 the Spanish governor of Louisiana, Manuel Gayoso de Lemos, published regulations for the allotment of lands to settlers. These regulations contain the following provisions:

"The privilege of enjoying liberty of conscience is not to extend beyond the first generation. The children of those who enjoy it must positively be Catholics. Those who will not conform to this rule are not to be admitted, but are to be sent back out of the province immediately, even though they possess much property." * * *

"In the Illinois none shall be admitted but Catholics of the classes of farmers and artisans. They must also possess some property, and must not have served in any public character in the country from whence they come. The provisions of the preceding article shall be explained to the emigrants already established in the province, who are not Catholics, and shall be observed by them; the not having done it until this time being an omission and contrary to the orders of his majesty, which required it from the beginning. The commandants will take particular care that no protestant preacher, or one of any sect other than the Catholic, shall introduce himself into the province. The least neglect in this respect will be a subject of great reprehension." [Laws of the United States relating to Public Lands (ed. of 1828), p. 980.]

SECTION 133.

Punishment of Blasphemy under the old Spanish Code.

“Blasphemers of God and the most holy Virgin (Maria Santissima). Their tongues are cut out, and they are to receive one hundred stripes if the crime be committed in the court (corte), and if out of it, their tongue is to be cut out, and one-half of their property confiscated.” [White’s New Recopilacion, i. 243.]

SECTION 134.

Sorcery and Magic.

Extracts from the penal code of China:

“It shall not be allowed to conjurers and fortune-tellers to frequent the houses of any civil or military officers of government whatever, under the pretense of prophesying to them impending national calamities or successes; and they shall, upon every such offense, suffer a punishment of one hundred blows. This shall not, however, be understood to prevent them from telling the fortunes and casting the nativities of individuals by the stars in the usual manner.” [Ta Tsing Leu Lee—Penal Code of China, p. 187.]

“All persons convicted of writing and editing books of sorcery and magic, or of employing spells and incantations in order to agitate and influence the minds of the people, shall be beheaded, after remaining in prison the usual period.” [Ib. p. 273.]

SECTION 135.

Punishment.

From the Hindoo Code:

“Punishment is the magistrate;

“Punishment is the inspirer of terror;

“Punishment is the nourisher of the subjects;

“Punishment is the defender from calamity;

“Punishment is the guardian of those that sleep;

"Punishment, with a black aspect and a red eye, terrifies the guilty." [Code of Gentoo [Hindoo] Laws (London ed. 1777), p. 262.]

SECTION 136.

Concerning Thieves.

From the Hindoo Code :

"A man who has no income, and whose expenses are large, such a man shall be suspected for a thief." * * *

"When a person is suspected to be a thief he shall be asked in what quarter his habitation is, in what kingdom, in what town, in what place, and of what caste he is, and what his name is. Upon such questions, if, in giving his answer, he should change color, or his voice should alter, or he be seized with a trembling, and can not speak with ease and satisfactorily, and prevaricates in his account, and can not prove his habitation or his caste to be what he affirms, and spends his money always in criminal expenses, and holds an intimacy with bad men, and all this is proved, he shall be judged a thief; if these signs are not found upon him he is not a thief." [Ib. p. 227.]

"If a man in debt renounces the world, and becomes Fakeer, his sons and grandchildren shall discharge his obligations." [Ib. p. 15.]

"When a kingdom is preserved free from thieves, from adulterers, from murderers, and from all men of such evil principles, the magistrate of the kingdom goes to Paradise; and if the magistrate always brings such persons to punishment he then also goes to Paradise, and his kingdom is doubled, and his reputation increased." [Gentoo Code, p. 284.]

PART IV.

EDUCATION UNDER COLONIAL GOVERNMENTS.

SECTION 137.

In 1670 the British commissioners of foreign plantations addressed to the several governors of English colonies in America certain questions relative to their condition. The governor of Connecticut, in his reply in reference to the subject of education, said: "One fourth part of the annual revenue of the colony is laid out in maintaining free [common] schools for the education of our children."

Sir William Berkeley, governor of Virginia, in his reply to the commissioners, said: "I thank God that there are no free schools nor printing, and I hope we shall not have these hundred years; for learning has brought disobedience, and heresy, and sects into the world, and printing has divulged them, and libels against the best government. God keep us from both."

The antagonistic political theories which were brought from Europe into the English colonies of America, continued for a long time, to produce respectively their different results. Governor Berkeley, of Virginia, was a distinguished representative of those who were opposed to general popular education; who believed that the people were incapable of self-government, and that "learning softened the minds of men, and brought into governments a relaxation of discipline, where every man was more ready to argue than to obey."

SECTION 138.

In the colony of Massachusetts, as early as 1643, and probably

before that time, "the townships were generally granted in value of six miles square, to be divided into sixty-three equal lots—one lot for the first settled minister, as inheritance; one lot for the minister, as glebe lands; one lot for the benefit of a public school; and the other sixty lots to sixty persons or families who should, within five years from the grant, erect a dwelling-house of seven feet stud, and eighteen feet square, with seven acres cleared and improved fit for mowing or plowing; to erect a house of public worship in five years, and maintain an orthodox minister. Every township of fifty householders or upwards to be constantly provided with a schoolmaster, to teach children and youth to read and write, under a penalty of twenty pounds a year for neglect; as also, if consisting of one hundred householders or upwards, they were to maintain a grammar school." Douglas, i. 513. British Dominion in North America, p. 108.]

SECTION 139.

Education of Children and Apprentices in Massachusetts—1642.

The statutes of the several New England colonies contain many evidences of the disposition of the early legislators of those colonies to provide, as far as possible, for the support of various institutions of learning.

The following act was passed by the General Court of Massachusetts in 1642:

"Forasmuch as the good education of children is of singular behoof and benefit to any commonwealth; and whereas many parents and masters are too indulgent and negligent of their duty in this kind:

"It is therefore ordered by this court and the authority thereof, that the selectmen of every town, in the several precincts and quarters where they dwell, shall have a vigilant eye over their brethren and neighbors to see, first, that none of them shall suffer so much barbarism in any of their families as not to endeavor to teach, by themselves or others, their children and apprentices so much learning as may enable them perfectly to read the English tongue and knowledge of the capital laws, upon penalty of twenty shillings for

each neglect therein. And further, that all parents and masters do breed and bring up their children and apprentices in some honest, lawful calling, labor or employment, either in husbandry or some other trade, profitable to themselves and the commonwealth. If they will not nor can not train them to fit them for higher employments, and if any of the selectmen, after admonition by them given to such masters of families, shall find them still negligent of their duty in the particulars aforementioned, whereby children and servants become rude, stubborn and unruly, the said selectmen, with the help of two magistrates, shall take such children or apprentices from them and place them with some masters for years—boys till they come to twenty-one and girls eighteen years of age, complete, which will more strictly look unto and force them to submit unto governments, according to the rules of this order, if by fair means and former instructions they will not be drawn into it.”

SECTION 140.

Massachusetts, 1671.

The following statute was passed by the legislative authority of Massachusetts, in the year 1671 :

“It being one chief project of Satan to keep men from the knowledge of the Scripture, as in former times keeping them in unknown tongues, so in these latter times, by persuading from the use of tongues, that so at least the true sense and meaning of the original might be clouded and corrupted with false glosses of deceivers; to the end that learning may not be buried in the graves of our forefathers, in church and commonwealth, the Lord assisting our endeavors; it is therefore ordered by this court and authority thereof, that every township within this jurisdiction, after the Lord hath increased them to the number of fifty householders, shall then forthwith appoint one within their towns to teach all such children as shall resort to him to write and read, whose wages shall be paid either by the parents or masters of such children, or by the inhabitants in general, by way of supply, as the major part of those that order the prudentials of the town shall appoint: Provided that those which send their children be not oppressed by

paying much more than they can have them taught for in other towns.

“And it is further ordered, that where any town shall increase to the number of one hundred families or householders, they shall set up a grammar school, the master thereof being able to instruct youth so far as they may be fitted for the university; and if any town neglect the performance hereof above one year, then every such town shall pay five pounds per annum to the next such school, till they perform this order. [This Act, thus far, appears in the Connecticut Code of 1650, pp. 90, 91.]

“Forasmuch as it greatly concerns the welfare of this country that the youth thereof be educated, not only in good literature, but in sound doctrine, this court doth therefore commend it to the serious consideration and special care of our overseers of the college and the selectmen in the several towns, not to admit or suffer any such to be continued in the office or place of teaching, educating or instructing youth or children in the college or schools that have manifested themselves unsound in the faith or scandalous in their lives, and have not given satisfaction according to the rules of Christ.”

Afterwards, in 1671, it was ordered by the court, “that every town of one hundred families and upwards that shall neglect or omit to keep a grammar school,” according to law, “such towns shall pay ten pounds per annum unto the next town school that is settled according to that law.” [Laws of Massachusetts (ed. of 1672), pp. 136, 137.]

SECTION 141.

The Swedes, who founded the first civilized settlements on the Delaware river, and the Dutch, who made the first white settlements on the Hudson river, manifested considerable interest in the cause of popular education.

SECTION 142.

Provision for a Free School in Virginia—1642.

Benjamin Symms, of Elizabeth City county, in Virginia, was,

perhaps, the first man on the continent of America who, by the use of his own means, made provision for founding a free school. His name is unknown to modern philanthropists; but, at a session of the General Assembly of Virginia, held in 1642-'3 (about two hundred and thirty-five years ago), an act was passed in the words following, viz:

“Be it also enacted and confirmed upon consideration had of the godly disposition and good intent of Benjamin Symms, deceased, in founding by his last will and testament a free school in Elizabeth [City] county, for the encouragement of all others in the like pious performances, that the said will and testament, with all donations therein contained concerning the free school and the situation thereof in the said county, and the land appertaining to the same, shall be confirmed according to the true meaning and godly intent of the said testator, without any alienation or conversion thereof to any place or county.” [Hening’s Statutes, i. 252.]

SECTION 143.

Provision for a College in Virginia—1661.

Whereas, the want of able and faithful ministers in this country deprives us of these great blessings and mercies that always attend upon the service of God, which want, by reason of our great distance from our native country, can not in probability be always supplied from thence, be it enacted, that for the advance of learning, education of youth, supply of the ministry, and promotion of piety, there be land taken upon purchases for a college and free school, and that there be, with as much speed as may be, convenient housing erected thereon for the entertainment of students and scholars. [Hening’s Statutes, ii. 25.]

SECTION 144.

Lands, Cows, etc., Devised for Support of Free School in Virginia—1675.

In 1675 Henry Peasly, of Gloucester county, Virginia, by his last will and testament, devised six hundred acres of land, “together

with ten cows and one breeding mare, for the maintenance of a free school forever, to be kept, with a schoolmaster, for the education of the children of the parishes of Abingdon and Ware.”

In 1756 the General Assembly of Virginia passed the following act :

An act for appointing trustees to lease out certain lands and slaves, and for other purposes therein mentioned.

Whereas, Henry Peasley, formerly of the county of Gloucester, deceased, was in his life-time, and at the time of his death, seized in fee simple of a tract or parcel of land containing six hundred acres, or thereabouts, lying and being in the parish of Abingdon, in the said county, and being so seized, by his last will and testament, in writing, bearing date the seventeenth day of March, in the year of our Lord, one thousand six hundred and seventy-five, devised the same by the description of the land he then lived on, together with ten cows and one breeding mare, for the maintenance of a free school forever, to be kept with a schoolmaster for the education of the children of the parishes of Abingdon and Ware forever.

And, whereas, several slaves have been, by different persons, since the above devise, given for the same purposes, but by reason of the inconvenient situation of the said land few children frequent the free school kept there, so that the charitable intention of the said Henry Peasley, and the other donors, is of little benefit to the said two parishes.

And whereas, it is represented to this present General Assembly by the ministers, church wardens and vestrymen of the said two parishes of Abingdon and Ware, that if proper persons were empowered to lease out the said land and slaves, the annual rents thereof would be sufficient to support and maintain a free school in each of the said parishes for the education of the children residing there.

This act incorporated trustees, etc., and declared that “the said trustees and governors shall issue and apply the rents of the said tract or parcel of land, slaves and other premises for the erecting, maintaining and supporting a free school and schoolmaster in each of the said parishes forever, for the education of the children of the said parishes respectively.” [Hening’s Statutes, vii. 41, 42, 43.]

SECTION 145.

College for the Conversion of Infidels in Virginia—1619.

In 1619 the Council of Virginia ordered that "a choice committee of five or seven be appointed to take into their care and charge the matter of the college to be erected in Virginia for the conversion of infidels."

SECTION 146.

Schoolmaster in Philadelphia—1683.

The following note appears in the "Minutes of the Provincial Council of Pennsylvania," under the date of October 10, 1683:

"The governor and council, having taken into their serious consideration the great necessity there is for a schoolmaster, for the instruction and sober education of youth in the town of Philadelphia, sent for Enoch Flower, an inhabitant of the said town, who for twenty years past hath been exercised in that care and employment in England, to whom having communicated their minds, he embraced it upon the following terms: To learn to read English, four shillings by the quarter; to learn to read and write, six shillings by the quarter; to learn to read, write and cast accounts, eight shillings by the quarter; for boarding a scholar, that is to say, diet, washing, lodging and schooling, ten pounds for one whole year." [Pennsylvania Colonial Records, i. 36.]

SECTION 147.

The Maryland Gazette of February 28, 1771, contains an advertisement from which the following is an extract:

"Ran away, a servant man, from Dorchester county, who had followed the occupation of a schoolmaster; much given to drink and gambling."

And again, in the same paper, of February 17, 1774, the following appears:

"To be sold, a schoolmaster and indented servant, who has got two years to serve." "He is sold for no fault, any more than we

are done with him. He can learn bookkeeping, and is an excellent good scholar." Signed, "John Hammond, near Annapolis." [Report of Committee of Education, 1875, p. 20.]

SECTION 148.

Schoolmasters in New Jersey—1693.

"An act for establishing schoolmasters within this province.

"Whereas, the cultivating of learning and good manners tends greatly to the good and benefit of mankind, which has hitherto been much neglected in this province; be it therefore enacted by the governor, council and deputies, in General Assembly now met and assembled, and by the authority of the same, that the inhabitants of any town within this province shall and may by warrant from a justice of the peace of that county, when they think fit and convenient, meet together and make choice of three more men of the said town, to make a rate for the salary and maintaining of a schoolmaster within the said town, for so long a time as they think fit; and the consent and agreement of the major part of the inhabitants of the said town shall bind and oblige the remaining part of the inhabitants of the said town to satisfy and pay their shares and proportion of the said rate; and in case of refusal or non-payment, distress to be made upon the goods and chattels of such person or persons so refusing or not paying, by the constable of the said town, by virtue of a warrant from a justice of the peace of that county, and the distress so taken to be sold at a public vendue, and the overplus, if any be after the payment of the said rate and charges, to be returned to the owner." [Leaming & Spicer's Laws of New Jersey, p. 328.]

SECTION 150.

Schools in Maryland—1723.

In 1723 the General Assembly of Maryland passed the following act:

"Whereas, the preceding Assemblies for some years past have had much at heart the absolute necessity they have lain under, in regard

both to duty and interest, to make the best provision in their power for the liberal and pious education of the youth of this province, and improving their natural abilities and acuteness (which seem not to be inferior to any), so as to be fitted for the discharge of their duties in the several stations and employments they may be called to and employed in, either in regard to church or state, and for that end laid an imposition on sundry commodities exported out of, and others imported into this province, and other fines for the raising a fund for the erecting and supporting a good school in each county within this province, which has succeeded with such desired effect that it is now thought necessary, and is prayed that it may be enacted,

II. And be it enacted, by the right honorable the lord proprietor, by and with the advice and consent of his lordship's governor and the upper and lower houses of Assembly, and the authority of the same, that in some convenient time, after the end of this present session of Assembly, there shall (for the ends before mentioned) be erected one school in each county within this province, at the most convenient place, as near the center of the county as may be, and as may be most convenient for the boarding of children, at the discretion of the visitors, or the major part of them, that are hereafter nominated, appointed and empowered by this act in each county." [Maxcy's Laws of Maryland, i. 172.]

The act incorporated a board of visitors for each county, who were invested with authority to make laws, rules and orders for the government of the several schools to be established: "Provided always, that the said rules, laws and orders be no wise contrary to the royal prerogative, nor to the laws and statutes of England and acts of Assembly of this province, or to the canons and constitutions of the Church of England by law established." [Ib. 175.]

This law further declares, that every person appointed a visitor, "that shall wilfully refuse or delay to take upon him the said office, shall forfeit and pay," for the use of the school, "the sum of five hundred pounds of tobacco."

SECTION 151.

Poor Children to be Taught at Public Schools in Maryland—1728.

And be it further enacted, by the authority, advice, and consent aforesaid, that the master of every public school within this province shall and is hereby required to teach as many poor children gratis, as the visitors, or the major part of them, shall order, or be immediately discharged and removed from his trust in the said school and a new master put in. [Maxcy's Laws of Maryland, i. 188, 189.]

SECTION 152.

Free Schools in Carolina—1710.

The preamble to "An act passed in 1710, for the founding and erecting of a free school for the use of the inhabitants of South Carolina," is in the following words:

"Whereas, it is necessary that a free school be erected for the instruction of the youth of this province in grammar and other arts and religion; and whereas, several charitable and well disposed Christians, by their last wills and testaments, have given several sums of money for the founding of a free school, but no person as yet is authorized to take the charge and care of erecting a free school, according to the intent of the donors, and to receive the said legacies, if tendered, nor to demand the same, in case of refusal to pay the same: so that, for want of some person or persons or body politic and corporate, proper for the lodging the said legacies therein, the same are not applied according to the pious and charitable intention of the testators or donors." [Statutes of South Carolina, ii. 342—1710.] Commissioners were appointed and incorporated by the act.

In 1712 the following statute was enacted for the opening of a grammar school in Charleston:

"Whereas, several sums of money have been given by well disposed persons for building a free school, which can not at this time be done conveniently; to supply which defect for the present, be it enacted by his excellency the palatine, and the rest of the

true and absolute lords proprietors of Carolina, by and with the advice and consent of the rest of the members of the General Assembly, now met at Charleston for the southwest part of the said province, and by the authority of the same, that from and after the ratification of this act, John Douglas shall be and is hereby declared to be master of a grammar school in Charleston, for teaching the Greek and Latin languages, and shall choose one usher to the said school, who is empowered and required to assist the master aforesaid in teaching the languages, reading, English, writing, arithmetic or such other parts of the mathematics as he is capable to teach." [Statutes of South Carolina, ii. 376.]

SECTION 153.

Free School for Poor Children in South Carolina—1740.

By an act of 1740 certain fines and forfeitures were set apart "for the use of a free school, to be built, erected and established in the said town (Beaufort), for the education of poor children." [Statutes of South Carolina, iii. 575.]

SECTION 154.

Schoolmasters in Carolina—1712.

An act of December 12, 1712, for founding a free school in Charleston, declares "that the person to be master of the said school shall be of the religion of the Church of England, and conform to the same, and shall be capable to teach the learned languages, that is to say, Latin and Greek tongues, and to catechise and instruct the youth in the principles of the Christian religion, as professed in the Church of England." [Statutes of South Carolina, ii. 393.]

The same act provides "that as soon as a schoolmaster is settled in any other or all the rest of the parishes of this province, and approved by the vestry of such parish or parishes, such schoolmaster so approved from time to time, shall receive the sum of ten pounds per annum out of the public treasury, by quarterly pay-

ments, and the public receiver is hereby required to pay the same." This provision was made, in the words of the act, "as a further and more general encouragement for the instructing of the youth of this province in useful and necessary learning." [Statutes of South Carolina, ii. 395.]

SECTION 155.

New Hampshire, 1719.

From "An act for the settlement and support of grammar schools:"

"Be it enacted," etc., "that every town within this province, having the number of fifty householders or upwards, shall be constantly provided of a schoolmaster to teach children and youth to read and write; and where any town or towns have the number of one hundred families, or householders, there shall also be a grammar school set up and kept in every such town, and some discreet person, of good conversation, well instructed in the tongues, shall be procured as master thereof, every such schoolmaster to be suitably encouraged and paid by the inhabitants." [Laws of New Hampshire, 143.]

SECTION 156.

Schools and Bills of Credit in New Hampshire—1771.

"Whereas, the sum of twenty pounds is set and imposed by an act of this province, passed in the fifth year of the reign of his late majesty, King George the First, as a fine for towns for not keeping a school as therein directed, and the sum of twenty pounds, set and imposed by another act of this province, passed in the seventh year of the same reign, as a fine on selectmen for neglecting to keep a school as therein directed, were originally set in paper bills of credit, no ways adequate to the nominal sum in lawful money at this time, and the taking the nominal sum in lawful money at this time, would be contrary to the original intention of the legislature and injurious to his majesty's subjects; therefore, be it enacted by the governor, council and Assembly, that, for the sum

of twenty pounds, in each of the acts aforesaid contained, shall be taken the sum of ten pounds respectively, and no more." Laws of New Hampshire, p. 260.]

SECTION 157.

Meeting Houses and School Houses in New Hampshire—1714.

"And it is hereby further enacted and ordered, that for building and repairing of meeting houses, ministers' houses and school houses, and allowing a salary to a schoolmaster of each town within this province, the selectmen, in their respective towns, shall raise money by an equal rate and assessment upon the inhabitants, in the same manner as in this present act directed for the maintenance of the minister; and every town within this province shall, from and after the publication hereof, provide a schoolmaster for the supply of the town." [Laws of New Hampshire, p. 56.]

PART V.

EARLY LAND GRANTS AND COLONIAL LEGISLATION ON THE SUBJECT OF LANDS.

SECTION 158.

Ancient Regulations Concerning Lands.

The earliest authentic records which have been preserved in India prove that the sovereign of the country was regarded as the owner of the lands in the region over which his dominion extended. He granted certain quantities of land to farmers at a stipulated rent, which generally amounted to one-fourth part of the annual products of the land, payable in such products. A tract of land remained in possession of a family, descending from father to son, as long as the occupant continued to pay the annual rent. "In all the great monarchies of the East," says Robertson, in his history of India, "the sole property of land seems to be vested in the sovereign," and lands are rented to farmers on conditions similar to those which were common in India from a very remote period of the past. In those early times, it seems that war did not unnecessarily interfere with the labors of farmers. In some instances, while two hostile armies were fighting a battle in one field, the farmers were ploughing and reaping in the next field in peace and safety. [Diodorus Siculus, Lib. ii. p. 53. Strabo, Lib. xv. p. 1030. Robertson's India, p. 208.]

An early Hindoo grant of land concludes as follows: "Riches and the life of man are as transient as drops of water upon the leaf of the lotus. Learning this truth, O man! do not attempt to deprive another of his property." [Asiatic Researches, i. p. 123. Robinson's India, note lxvi.]

Among the ancient Jews and Egyptians it seems that the right to obtain lands by purchase was not prohibited. The patriarch Abraham bought, from Ephron the Hittite, a field and cave for a burial place. In Egypt, in the days of Joseph, the priests "sold not their lands"—Genesis, xlvii. 22—but Joseph purchased, for Pharaoh, the other lands of the Egyptians, and gave the people seed from which to raise crops, claiming the fifth of the produce as the king's right.—Genesis, xlvii. 26. It is declared, in Leviticus, xxv. 23, that "the land shall not be sold forever;" but it was lawful to sell it from the time of sale to the general jubilee, which was celebrated once in fifty years. In the later period of their history it seems that "the Hebrews, like all other nations of long standing, connived at the possession of large landed estates, although one of their prophets denounces a curse against those who join house to house, and field to field, that they may be placed alone in the midst of the earth." [Encyclopedia Metropolitana, vi. 2.] Jephthah, on behalf of Israel, and against the Ammonites, pleaded the right of prescription, or an uninterrupted possession of the land for three hundred years. [Judges xi. 26.] In Leviticus, xxvii. 17, it is written, "Cursed be he that removeth his neighbor's landmark;" and even among the ancient heathen nations the removing of landmarks was regarded as an act of great impiety. [Wood's Civil Law.]

Herodotus says that one of the early kings of Egypt assigned to each Egyptian "a square piece of ground," and received revenues from "the rent which every individual annually paid him." Herodotus ii. 109; Young's Labor in Europe and America, p. 14.]

In Greece, Lycurgus and other ancient legislators were in favor of an equitable division of the lands. [Montesquieu, book 5, c. 5.] A speech setting forth the views of the early Macedonians contains the following passage: "We hold this land given unto us by the posterity of Hercules, confirmed by the Delphic Oracle, and the inhabitants of it being overcome by us, ye know well that all possessions, either private or public, to be confirmed by prescription of long time. We have held Messana more than four hundred years." [Fulbecke's Pandects, p. 20.]

Among the ancient Greeks many small tracts of land were devoted to what were called sacred purposes. The income arising

from such lands was appropriated to the building of temples and to the maintenance of the public worship of the gods. [Smith's Dictionary of Antiquities and authorities quoted.]

At a very ancient time, among the Romans, the land was under the dominion and control of the state. The citizens had only a kind of right to use the land by the permission of the ruling authorities. Absolute individual ownership of land was a thing unknown in the early period of Roman law. [Commentaries of Gaius on the Roman Law (London ed. 1869), p. 247.] The land was divided by lines running north and south and other lines running east and west. The distance between the lines was determined by the magnitude of the squares into which it was proposed to divide a tract of land. By a Roman agrarian law, enacted 365 B. C., no person was allowed to own more than five hundred jugera. One jugerum contained about three thousand two hundred square yards. The English acre contains four thousand eight hundred and forty square yards.

Appian, who wrote about A. D. 147, says: "The Romans, when they conquered any part of Italy, seized a portion of the lands, and either built cities in them or sent Roman colonists to settle in the cities which already existed. * * * As to the land thus acquired from time to time, they either divided the cultivated part among the colonists, or sold it, or let it to farm. As to the land which had fallen out of cultivation in consequence of war, and which, indeed, was the larger part, having no time to allot it, they gave public notice that any one who chose might in the meantime cultivate the land, on payment of a part of the yearly produce, namely, a tenth of the produce of arable land, and a fifth of the produce of olive yards and vineyards." [Smith's Dictionary of Antiquities.]

In a description of the manners and customs of the early Germanic tribes, the historian Tacitus (who wrote his history, A. D. 98) says: "In cultivating the soil they do not settle in one spot, but shift from place to place. The state or community takes possession of a certain tract proportioned to its number of hands; allotments are afterwards made to individuals according to their rank and dignity. In so extensive a country, where there is no want of land, the partition is easily made. The ground tilled one year lies

fallow the next, and a sufficient quantity always remains; the labor of the people being by no means adequate to the extent or goodness of the soil. Nor have they the skill to make orchard plantations, to inclose the meadow ground, or to lay out and water gardens." [Murphy's Tacitus, v. 126.] The lands cultivated by the Germans "were given them only for the space of a year, after which they again became public." [Montesquieu, book 18, c. 22.]

The feudal system of disposing of lands was founded in the military policy of the conquering nations who overran the western Roman empire and divided the conquered regions between themselves and the former possessors of those regions. The grantees of such lands were bound to render military service to the grantors. When Christianity was introduced among these nations, "grants of land were made to the church, and the bishops held them, as all other tenants did, upon condition of military service. But afterwards they held lands in what was called *frankalmoigne* [free alms], when only alms to the poor, and prayers, were required of them." [Priestley's Lectures, 277.]

In the time of Alfred the Great, before the close of the ninth century, England was divided into counties, tythings and hundreds. A tything was made up of ten families of land-holders; ten tythings composed what was called a hundred; and an indefinite number of hundreds made a county or shire. The English law writer Chitty says that tythings, hundreds and shires or counties were mentioned in the capitularies of the Franks before the year A. D. 630, about two centuries before the commencement of the reign of Alfred the Great.

A register of lands, etc., was compiled between the years 1080 and 1086, by order of William the Conqueror. The register has been generally known as *Doomsday Book*. "By this book of customs," says Raleigh, "he (William) exactly knew the quantity of the land and the quality of the persons in most of the English soil. I say but of most, because Wales is not described by *Doomsday*, nor the four northern shires of Cumberland, Westmoreland, Northumberland and Durham." [Raleigh's History, viii. 600.] In the time of William I. of England, "all the land of this nation was in the Conqueror's hands and appropriated unto him, except religious and church lands and the lands in Kent, which, by com-

position, were left to the former owners as the Conqueror found them." [Bacon's Law Tracts, 126.] In 1083 a tax of six shillings was imposed on every hide of land in England. A hide refers to a quantity of land, which has been variously estimated from forty acres to one hundred acres. Between A. D. 900 and 1000 two hides of land were sold for one hundred shillings. [Priestley.] In England the word "acre" was formerly used to designate any open field; but at a later period the meaning of the word was limited by statutes to a definite quantity of land. [Vide Elton's Tenures of Kent, 127.]

The treatise entitled "The Laws of Henry I." (1100 to 1135) contains the first notice of the right of primogeniture. [Southey's Common Place Book.]

At the present time, in every nation, private property in land is derived, either directly or remotely, from the sovereign power of the country. [Sharswood's Blackstone, book 2, p. 8, note.] The early European discoverers of different parts of the American continent acquired no territorial rights for themselves; but they laid the foundations of vast claims of lands by the several sovereigns under whose respective flags they sailed. According to Pufendorf's Law of Nature and Nations, in taking possession of a newly discovered region, "the occupancy of one part only is conceived to create a property over the whole; so, when a people have seized on one particular region, inclosed within settled bounds, still under the notion of taking all the void space about that they shall afterwards have occasion for, though at first they have no design to enlarge or exercise their dominion farther than those bounds, as not thinking what lies beyond to be of use or service to them, yet when they come at length to find that there is a necessity of adding such a void space to their present possessions, their bare intention and resolution should seem sufficient to extend their sovereignty over it as a part or appendage of their empire." [Pufendorf's Law of Nature, etc. book iv. c. 5, sec. 8.]

The proceedings of the explorer La Salle, upon which France set up a claim to immense regions lying westward of the Allegheny mountains, are recorded in the following official document, which is on file among the national archives at Paris.

The translation here inserted was made by Mr. E. J. Forstall, who sent it to the governor of Louisiana in 1841.

Proces Verbal of the Taking Possession of Louisiana—Discovered by De la Salle.

Jacques Lametaire, notary of Fort Frontenac, in New France, authorized and commissioned to exercise the said functions of notary, during the voyage to Louisiana in North America, by M. De la Salle, the king's governor of the aforesaid Fort Frontenac, commanding the said expedition of discovery by virtue of a commission from his majesty, dated at St. Germain en Laye, the 12th of May, 1678.

To all whom these presents shall come, greeting :

Know ye, that having been required by the said Sieur De la Salle to deliver to him an act signed by us and the witnesses therein named, of the possession by him taken of the country of Louisiana, near the three outlets of the river Colbert (Mississippi), in the Gulf of Mexico, on the 9th April, 1682,

In the name of the high, mighty, very powerful, invincible and victorious prince Louis the Great, by the grace of God king of France and of Navarre, the fourteenth of this name, and of his heirs and the successors of his crown.

We, the aforesaid notary, have delivered said act to the said Sieur De la Salle, of the following tenor :

The twenty-seventh of December, one thousand six hundred and eighty-one, M. De la Salle having departed on foot to join M. de Tonty, who, with all his people and crew, had gone in advance, joined them forty leagues from the country of the Miamis, where the ice had compelled them to stop on the bank of the river Chikagou (Chicago), in the country of the Maskouters; the ice having become stronger sledges were constructed in order to drag the baggage, the canoes, and a Frenchman who was wounded, all along this river and the river Illinois, a distance of seventy leagues. Finally, all the French having assembled on the 25th January, 1682, they arrived at Pimiteoni, where the river being no longer frozen, except in certain spots, they continued their journey to the river Colbert (Mississippi), about sixty leagues distant from Pimiteoni, and about ninety leagues from the village of the Illinois. They arrived at the bank of the river Colbert on the 6th Febru-

ary, and remained there until the 13th, waiting for the savages who had been prevented by the ice from following them. The 13th, being all united, they departed, viz: twenty-two Frenchmen, carrying arms, assisted by the Rev. Father Zenobie, a recollet missionary, and followed by eighteen savages of New England, and some Algonquin, Olchipoises and Huron women.

On the 14th they arrived at the village of Maxoa, composed of 100 cabins, which they found empty. After having navigated, until the 26th of February, a distance of about 100 leagues on the river Colbert, and having stopped to hunt a Frenchman who had gone astray in the woods, it having been reported to M. De la Salle that a great number of savages had been seen in the neighborhood, and he, thinking that they might have captured this Frenchman, caused a fort to be constructed, of which he left M. de Tonty in command with 16 men, and with the other 24 went in search of his lost follower, and to reconnoitre the savages.

Having marched two days through the woods without finding them, because they had fled, having been alarmed by the reports of the firearms which they had heard, he returned to the camp and sent both savages and French to make discoveries, with the order that if they found any savages to spare their lives in order to obtain information of the Frenchman.

A person named Gabriel Barbé with two Indians, having encountered five of the Chickasas nation, brought in two of them. They were received in the best manner possible, and after having made them understand that they were in trouble on account of the loss of a Frenchman, and that they had only taken them to get him back should he be found among them, and afterwards make with them a lasting peace, as the French desired to do good to all of them, they assured us that they had never seen the person of whom we were in search, but that the peace would be received by the chiefs with much gratitude. We made them many presents, and as they had given us to understand that one of their villages was not further distant than a half day's journey upon the road, M. De la Salle pursued that route in order to reach it. But having journeyed until night, and observing that the savages frequently contradicted each other in their conversation, M. De la Salle was unwilling to proceed any further without provisions.

He having pressed them to declare the truth, they acknowledged that they were yet four days' journey from their village, and when they observed that M. De la Salle was angry at having been deceived by them, they proposed that one of them should remain with him whilst the other would carry the intelligence to the village, where the ancients would come to join him four days' journey further on. The said Sieur returned with one of the Chickasas, and the Frenchman whom they had been in search of having been found, they continued their voyage. They passed the river Chepontia and the village of the Mostegames. The fog, which was very thick, caused them to miss the channel that led to the rendezvous of the Chickasas, which they did not perceive.

On the 12th of March they arrived at Kapaka, a village of the Arkansas, where they made peace and took possession. On the 15th of March they passed another of their villages situated upon the bank of the river; also two others at some distance in the woods, and arrived at Imaha, the largest village of that nation, where the peace was confirmed, and where they recognized that this village belonged to his majesty.

Two of the Arkansas embarked with M. De la Salle to conduct him to the Tensas, their allies, who dwelt in eight villages upon the shores of a small lake, at the distance of about fifty leagues. On the 19th they passed the villages of the Tunicas, Yazoo and Ikoneras, but as they were not upon the banks of the river, and they were enemies of the Arkansas and Tensas, they were not visited.

On the 20th they arrived among the Tensas, by whom they were well received, and who furnished them with an abundance of provisions. M. de Tonty having been to one of their villages accompanied by six men, remained there until the next day. He found assembled in that place about 700 men capable of bearing arms, and peace was concluded there as well as with the Koroas, the chiefs of which had repaired thither from the principal village, distant about two leagues from that of the Natchez.

The two chiefs accompanied M. De la Salle to the banks of the river where the chief of the Koroas embarked with him to conduct him to his village, where peace was again concluded with this nation, which, independent of the five villages of which it is com-

posed, is allied with forty other neighboring villages. On the 31st they passed the village of the Oumas without being aware of it, because of the fog and its situation being a short distance from the river.

Upon the 3d of April, about ten o'clock in the morning, they discovered among the cane thirteen or fourteen canoes, and M. De la Salle went ashore, with some others. They saw a number of footprints; and a little lower down some Indians were engaged in fishing, who, upon seeing us, abandoned everything and took to flight. We landed on the borders of a marsh made by the overflowing of the river. M. De la Salle sent two French for the purpose of making discoveries, and afterward two Indians, who related that there was a village near, but that in order to reach it, it was necessary to cross the whole of the marsh covered with cane; that they had been attacked by a shower of arrows, by those of the village, who had not dared to engage in this marsh, and that they had retired, although neither the French nor the Indians who were with them had wished to fire, in accordance with the orders which they had received not to push things to extremities.

Soon after, the beating of the drums, the hue and cry with which the savages are accustomed to begin the attack was heard in the village. We waited for them three or four hours, as we could not encamp in this marsh, and not seeing or hearing anything more, we embarked. About an hour after we discovered the village of the Maheonala, which had been ruined a short time previously, and was filled with blood and dead bodies.

We encamped two leagues below. We continued the navigation of the river until the 6th of April, when we arrived at the three outlets by which the river Colbert discharges itself into the sea. We encamped upon the banks of the western branch, three leagues or thereabouts from its mouth.

On the 7th M. De la Salle was reconnoitering and visiting the shores of the neighboring sea, and M. de Tonty the great middle channel of these two outlets, and found them beautiful, broad and deep. On the 8th of April we ascended a little above the confluence, in order to obtain a place dry and free from inundation, in about the twenty-seventh degree of north latitude. We prepared

a column and cross—upon said column were painted the arms of France, with the following inscription:

“Louis le Grand, Roi de France et de Navarre, regnant le 9th Avril, 1682.”

All being under arms, we chanted *Te Deum*, *l'exaudiat, Domine salvum fac regem*. After several discharges of musketry and shouts of *Vive le Roi*, M. De la Salle erected the column, and standing near to it spoke aloud as follows, in French:

“By the most high, most powerful, invincible, most victorious Prince Louis the Great, by the Grace of God King of France and Navarre, the fourteenth of this name.

“Upon this day, the 9th of April, 1682, I, by virtue of the commission which I hold in my hand, from his majesty, ready to show to whom it may concern, have taken and do take possession in the name of his majesty, and of the successors to his crown, of this country of Louisiana, the sea, the harbors, ports, bays, straits adjoining, and all the nations, people, provinces, cities, hamlets, villages, mines, minerals, fisheries, rivers, streams, comprised within the extent of the said Louisiana, from the mouth of the great river St. Louis, from the eastern side, otherwise called Ohio, Olighin, Sipon or Chiagona, and that by the consent of the Chasansons, Chickasas, and all other people dwelling there, with whom we have made alliance, as also along the river Colbert or Mississippi, and the rivers which discharge themselves into it from its source, beyond the country of the Sioux or Nadonessious, and this with their consent, and the consent of the Motantes, Illinois, Mastigarnes, Arkansas, Natchez, Koroas, who are the most considerable nations which dwell there, and who have also made alliance with us, or those with whom we are connected, as far as to its entrance into the sea or Gulf of Mexico, in the 27th degree of north latitude, even to the mouth of the river Palures, upon the assurance which we have from all those nations, that we are the first Europeans that have descended or ascended the said river Colbert.

“Protesting against all those who may in future endeavor to seize all or any of the aforesaid country, people or lands aforesaid, to the prejudice of the right of his majesty, here acquiring them by the consent of the aforesaid nations, of all which in case of need I take as witnesses those who now hear me, and I require the notary

here present to prepare an act of it, to serve as occasion may require."

All present replied to this discourse by cries of *Vive le Roi*, and discharges of musketry. M. De la Salle caused moreover a tree to be planted in the earth, with a cross attached to it, and a leaden plate with a coat of arms of the French engraved on one side with the following Latin inscriptions: *Ludovicus magnus regnat: nono Aprilis anno 1682.* And on the other side: *Robertus Cavellier cum Domino de Tonty, legato R. P. Zenobro membro recollecto et viginti Gallis, primus hoc flumen inde ab Illineoissen pago enavigabit ejusque ostium fecit permissus, nono Aprilis, anno 1682.*

After which the said *Sieur De la Salle* having declared that his majesty, the eldest son of the church, acquired no country for the crown in which his principal care was not to establish the Christian religion, it was necessary to plant the mark of the latter, which was done immediately by erecting a cross, before which they chanted the *Vexilla* and the *Domine salvum fac regem*, whereupon the ceremony ended with shouts of *Vive le Roi*, of which, as well as all that precedes, the said *Sieur De la Salle* demanded of us an act. We delivered it to him, signed the 9th April, 1682. *De la Salle*, *St. Zenobie*, recollect missionary; *Henry de Tonty*, *Francois de Boisrondet*, *Jean Bourdon*, *St. Deutray*, *Jaques Cauchois*, *Pierre You*, *Gilles Meneret*, *Jean Michel Chirurgien*, *Jean Mas*, *Jean de Lignon*, *Nicholas De la Salle*, et *Lametaire*, *Notaire*. [See *De Bow's Commercial Review*, vol. i. p. 241-249.]

SECTION 159.

On the 4th of May, 1493, Pope Alexander VI. granted to Ferdinand and Isabella of Spain, and their successors, all the heathen countries which had been discovered by Spanish navigators, as well as those which should be discovered by them, westward of a line supposed to be drawn from pole to pole, a hundred leagues westward of the Azores. In making this grant to Ferdinand and Isabella, Alexander VI. intimates that he was governed chiefly by a desire to promote the growth of Christianity in heathen lands.

SECTION 160.

Alonzo de Ojeda, a Spaniard, made one of the early attempts to plant a Spanish colony on the mainland of the continent of America. A certain number of the most eminent theologians and lawyers of Spain were employed to prescribe the mode in which Ojeda should take possession of lands and countries occupied by uncivilized people. The historian Robertson says, that "there is not in the history of mankind anything more singular and extravagant than the form which they devised for this purpose." This form, which served the Spaniards as a model in their subsequent conquests in America, was as follows:

"I, Alonzo de Ojeda, servant of the most high and powerful kings of Castile and Leon, the conquerors of barbarous nations, their messenger and captain, notify to you, and declare in as ample form as I am capable, that God our Lord, who is one and eternal, created the heaven and the earth and one man and one woman, of whom you and we, and all the men who have been, or shall be, in the world, are descended. But, as it has come to pass, through the number of generations during more than five thousand years, that they have been dispersed into different parts of the world, and are divided into various kingdoms and provinces, because one country was not able to contain them; nor could they have found in one the means of subsistence and preservation.

"Therefore, God our Lord gave the charge of all those people to one man named St. Peter, whom he constituted the lord and head of the human race, that all men, in whatever place they are born, or in whatever faith or place they are educated, might yield obedience to him. He hath subjected the whole world to his jurisdiction, and commanded him to establish his residence at Rome, as the most proper place for the government of the world. He likewise promised and gave him power to establish in every other part of the world, and to judge and govern all Christians, Moors, Jews, Gentiles, and all other people, of whatever sect or faith they may be. To him is given the name of pope, which signifies admirable, great father and guardian, because he is the father and governor of all men. Those who lived in the time of this holy father, obeyed and acknowledged him as their lord and king, and the superior of

the universe [*i. e.* the world]. The same has been observed with respect to them, who, since his time, have been chosen to the pontificate. Thus it now continues, and will continue to the end of the world.

“One of these pontiffs, as lord of the world, hath made a grant of these islands, and of the tierra firme of the ocean sea, to the Catholic kings of Castile, Don Ferdinand and Donna Isabella, of glorious memory, and their successors, our sovereigns, with all they contain, as is more fully expressed in certain deeds passed upon that occasion, which you may see if you desire it. Thus, his majesty is lord and king of these islands, and of the continent, in virtue of this donation; and, as king and lord aforesaid, most of the islands to which his title hath been notified, have recognized his majesty, and now yield obedience and subjection to him as their lord, voluntarily and without resistance; and instantly, as soon as they received information, they obeyed the religious men sent by the king to preach to them and to instruct them in our holy faith; and all of them, of their own free will, without any recompense or gratuity, became Christians, and continue to be so; and his majesty having graciously received them under his protection, has commanded that they should be treated in the same manner as his other subjects and vassals; you are bound and obliged to act in the same manner.

“Therefore, I now entreat and require you to consider attentively what I have declared to you; and, that you may more perfectly comprehend it, that you take such time as is reasonable, in order that you may acknowledge the church as the superior and guide of the universe [world?], and likewise the holy father, called the pope, in his own right, and his majesty by his appointment, as king and sovereign lord of these islands, and of the tierra firme; and that you consent that the aforesaid holy fathers shall declare and preach to you the doctrines above mentioned. If you do this, you act well, and perform that to which you are bound and obliged; and his majesty, and I, in his name, will receive you with love and kindness, and will leave you, your wives and children, free and exempt from servitude, and in the enjoyment of all you possess, in the same manner as the inhabitants of the islands. Besides this,

his majesty will bestow on you many privileges, exemptions and rewards.

"But if you will not comply, or maliciously delay to obey my injunctions, then, with the help of God, I will enter your country by force; I will carry on war against you with the utmost violence; I will subject you to the yoke of obedience to the church and king; I will take your wives and children, and make them slaves, and sell or dispose of them according to his majesty's pleasure; I will seize your goods, and do you all the mischief in my power, as rebellious subjects who will not acknowledge or submit to their lawful sovereign; and I protest that all the bloodshed and calamities which follow are to be imputed to you, and not to his majesty, or to me, or to the gentlemen who serve under me. And as I have now made this declaration and requisition unto you, I require the notary, here present, to grant me a certificate of this, subscribed in proper form." [Vide Herrera, dec. 1. lib. vii. c. 14 (Madrid ed. 1730), and Robertson's America, p. 459.]

SECTION 161.

In a pamphlet which was printed in London in 1609, and dedicated "to one of his majesty's council for Virginia," the following passage appears:

"We hear of late that a challenge is laid to all, by virtue of a donation from Alexander the Sixth, Pope of Rome, wherein (they say) is given all the West Indies, including Florida and Virginia, with all America, and whatsoever islands adjacent. But what is this to us? They are blind, indeed, that stumble here."

SECTION 162.

On the 10th of April, 1606, letters patent were granted by King James I. "for two several colonies and plantations, to be made in Virginia and other parts and territories of America." The first company, consisting of Sir Thomas Gates, Sir George Somers, and others of London and elsewhere, were authorized to plant their colony at any place on the Atlantic coast between the

thirty-fourth and forty-first degrees of north latitude. This company received a grant of "all the lands, woods," etc., "from the first seat of their plantation" "by the space of fifty miles of English statute measure, all along the coast of Virginia, towards the west and southwest, as the coast lyeth, with all the islands within one hundred miles, directly over against the same coast, and also the lands, soil," etc., "from the said place of their first plantation and habitation for the space of fifty like English miles all along the said coast of Virginia and America, towards the east and northeast, or towards the north, as the coast lyeth, together with all the islands within one hundred miles, directly over against the said coast; and also all the lands, woods," etc., "from the same fifty miles every way on the coast, directly into the main land by the space of one hundred like English miles."

The second company created by the letters patent of April 10, 1606, consisted of Thomas Hanham, Raleigh Gilbert, William Parker, George Popham, and others of Plymouth and elsewhere. They were authorized to plant a colony anywhere on the Atlantic coast between the thirty-eighth and forty-fifth degrees of north latitude; and their grant of territory extended along the coast and back into the mainland so as to include a district equal in extent to that which was granted to the first company. The letters patent declared that the two colonies should not be planted within one hundred miles of each other.

The first company, which was called the London Company, planted a colony at Jamestown, in Virginia, in 1607. The second company, which bore the name of the Plymouth Company, made an unsuccessful attempt to plant a colony at the mouth of the Kennebec river.

On the 23d of May, 1809, a new charter was granted by James I. to "the treasurer and company of adventurers of the city of London for the first colony of Virginia." This charter was granted to "twenty-one peers, ninety-eight knights, and a multitude of esquires, doctors, gentlemen, merchants, and sundry of the corporation of London." [Macgregor's Progress of America, i. 171.] The company received a grant of "all those lands, countries and territories situate, lying and being in that part of America called Virginia, from the point of land called Cape or Point Com-

fort, all along the sea-coast to the northward two hundred miles, and from the said point of Cape Comfort all along the sea-coast to the southward two hundred miles; and all that space and circuit of land lying from the sea-coast of the precinct aforesaid, up into the land throughout from sea to sea, west and northwest; and also all the islands lying within one hundred miles along the coast of both seas of the precinct aforesaid." [Charter of 1609.]

SECTION 163.

A statement that was published in London, in 1609, by a member of the Virginia Company, contains the following views of the author:

"We purpose presently to make supply of men, women and children (so many as we can), to make the plantation. We call those 'planters' that go in their persons to dwell there; and those 'adventurers' that adventure their money and go not in person, and both do make the members of one colony. We do account twelve pound ten shillings to be a single share adventured. Every ordinary man or woman, if they will go and dwell there, and every child above ten years that shall be carried thither to remain, shall be allowed, for each of their persons, a single share, as if they had adventured twelve pound ten shillings in money." * * *

"As we supply from hence to the planters, at our own charge, all necessaries for food and apparel, for fortifying and building of houses, in a joint stock, so they are also to return from thence the increase and fruits of their labors, for the use and advancement of the same stock till the end of seven years, at which time we purpose (God willing) to make a division, by commissioners appointed, of all the lands granted unto us by his majesty, to every of the colony, according to each man's several adventure, agreeing with our register book, which we doubt not will be, for every share of twelve pounds ten shillings, five hundred acres at least. * * *

"The country itself is large and great assuredly, though as yet no exact discovery can be made of all. It is also commendable and hopeful every way, the air and climate most sweet and wholesome, much warmer than England, and very agreeable to our natures. It

is inhabited with wild and savage people, that live and lie up and down in troops, like herds of deer in a forest. They have no law but nature ; their apparel, skins of beasts, but most go naked ; the better sort have houses, but poor ones ; they can [know] no art nor science, yet they live under superior command, such as it is. They are generally very loving and gentle, and do entertain and relieve our people with great kindness. They are easy to be wrought to good, and would fain embrace a better condition."

SECTION 164.

In 1649 the proprietary government of Maryland offered three thousand acres of land for every thirty persons transported into the province ; and for a lesser number of persons one hundred acres for every individual. [Bozman's Maryland, p. 375.]

SECTION 165.

In an essay on the subject of plantations, or colonies, written about the year 1612, Lord Bacon says :

"It is a shameful and unblessed thing to take the scum of people, and wicked condemned men, to be the people with whom ye plant ; and not only so, but it spoileth the plantation, for they will ever live like rogues, and not fall to work, but be lazy and quickly weary ; and then certify over to their country to the discredit of the plantation. The people wherewith you plant ought to be gardeners, plowmen, laborers, smiths, carpenters, joiners, fishermen, fowlers, with some few apothecaries, surgeons, cooks and bakers.
* * * Cram not in people by sending too fast company after company ; but rather hearken how they waste, and send supplies proportionably but so as the number may live well in the plantation, and not by surcharge be in penury."

Of the "wicked condemned men" to whom Bacon refers, some were political offenders ; but the greater part of those who were transported as convicts, to the English colonies in America, were persons who had been tried and convicted of petty criminal acts.

Among the causes of early emigration from Europe to these colonies, were the misfortunes of poverty; the hope of acquiring wealth or a title to land; disabilities or persecutions on account of religious belief; hatred of arbitrary power; hopeful views of what some men regarded as a state of civil and religious liberty; unsettled habits and a spirit of adventure.

SECTION 166.

In a letter dated "London, August 14, 1682," and addressed to William Penn, Sir William Petty says:

"I also think it not amiss (supposing the territory [Pennsylvania] to be two hundred miles square) to conceive it divided into four hundred parts or squares of ten miles in the side * * * and each of the said squares at fifty pounds at a medium. * * * My opinion is that not only Pennsylvania, but all the habitable land upon the face of the earth, will (within the next one thousand five hundred years) be as fully peopled as England is now; that is to say, there will be a head for every four acres of land." [Pennsylvania Archives, 1664-1747, p. 50.]

William Penn, soon after the date of his charter, sold about twenty thousand acres of land in Pennsylvania, at the rate of twenty pounds for every one thousand acres.

SECTION 167.

Pennsylvania was granted to William Penn by Charles II. on the 5th of March, 1681. Penn invited to his colony those who suffered under religious persecution, laborers, mechanics, "ingenious spirits low in the world," "younger brothers of small inheritances," and "men of an universal spirit who have an eye to the good of posterity." The expenses of emigration were, for an adult, £5; for a child under twelve years of age, £2, 10s.; for goods or merchandise, £2 per ton. Persons who could not afford to pay the expenses of their voyage were informed that, on making an engagement to serve an employer for the term of four years, their passage expenses would be paid, and, at the end of their term of

service, each person would receive fifty acres of land at two shillings quit rent.

Penn's laws, agreed upon in England in 1682, declare that "Every inhabitant in the said province [of Pennsylvania] that is or shall be a purchaser of one hundred acres of land or upwards, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land, at one penny an acre, and have cultivated ten acres thereof, and every person that hath been a servant or bondsman, and is free by his service, that shall have taken up his fifty acres of land, and cultivated twenty thereof, and every inhabitant, artificer, or other resident in the said province, that pays scot and lot to the government, shall be deemed and accounted a freeman of the said province; and every such freeman shall and may be capable of electing or being elected representative of the people in provincial council or General Assembly in the said province." [Pennsylvania Records, 1682.]

SECTION 168.

Indian Deed to Penn—July 15, 1682.

The first deed for land executed by Indians to William Penn shows that the Indians received in payment for the lands granted the following articles, viz:

"Three hundred and fifty fathoms of wampum, twenty white blankets, twenty fathoms of strawd waters, sixty fathoms of Duffields, twenty kettles, four whereof large, twenty guns, twenty coats, forty shirts, forty pair of stockings, forty hoes, forty axes, two barrels of powder, two hundred bars of lead, two hundred knives, two hundred small glasses, twelve pair of shoes, forty copper boxes, forty tobacco tongs, two small barrels of pipes, forty pair of scissors, forty combs, twenty-four pounds of red lead, one hundred awls, two handfulls of fish-hooks, two handfulls of needles, forty pounds of shot, ten bundles of beads, ten small saws, twelve drawing knives, four ankers of tobacco, two ankers* of rum, two ank-

* ANKER—A measure of spirits, formerly used in England, containing ten wine gallons. The old wine gallon contained 231 cubic inches.

ers of cider, two ankers of beer, and three hundred gilders.”* [Pennsylvania Archives, 1664–1747, p. 47.]

On the 23d of June, 1683, the Indians, by a treaty, granted to Penn a tract of land “all along upon Neshamineh creek and backward of the same, and to run two days’ journey with an horse up into the country as the said river doth go”—“for the consideration of so much wampum and so many guns, shoes, stockings, looking-glasses, blankets and other goods as he the said William Penn shall please to give unto us.” [Extract from Treaty; Pennsylvania Archives, 1664–1747, p. 63.]

SECTION 169.

Indians—Lands—Pennsylvania, 1700.

An act against buying lands of the natives:

Be it enacted, that, if any person presume to buy any land of the natives within this province and territories, without leave from the proprietary thereof, every such bargain or purchase shall be void and of no effect.” [Dallas’ Laws of Pennsylvania, i. 5.]

SECTION 170.

Indians to be First Served with Land—Virginia, 1658.

Be it enacted by this present Grand Assembly, that there be no grants of land to any Englishman whatsoever (*de futuro*), until the Indians be first served with the proportion of fifty acres of land for each bowman, and the proportion for each particular town to lie together, and to be surveyed, as well woodland as cleared ground, and to be laid out before patented, with liberty of all unfenced land for hunting for the Indians. And be it further enacted, that where the land of any Indian or Indians be found to be included in any patent already granted for land at Rappahannock or the parts adjacent, such patentee shall either purchase the said land of the Indians or relinquish the same, and be therefore allowed satisfaction by

*A Dutch coin. One gilder equals about 38 cents

the English inhabitants of the said places, the said satisfaction to be proportioned equally between them. [Hening's Statutes, i. 456, 457.]

SECTION 171.

Confirmation of Indians' Land—Virginia, 1658.

Whereas, many complaints have been brought to this Assembly touching wrong done to the Indians, in taking away their land and forcing them into such narrow straits and places that they can not subsist either by planting or hunting, and for that it may be feared they may be justly driven to despair and to attempt some desperate course for themselves; which inconveniences, though they have been endeavored to be remedied by former acts of Assembly made to the same purpose, yet notwithstanding, many English do still intrench upon the said Indians' land, which this Assembly conceiving to be contrary to justice and the true intent of the English plantation in this country, whereby the Indians might, by all just and fair ways, be reduced to civility and the true worship of God, have therefore thought fit to ordain and enact, and be it hereby ordained and enacted, that all the Indians of this colony shall and may hold and keep those seats of land which they now have, and that no person or persons whatsoever be suffered to intrench or plant upon such places as the said Indians claim or desire, until full leave from the governor and council or commissioners for the place. Yet this act not to be extended to prejudice those English which are now seated with the Indians' former consent, unless upon further examination before the Grand Assembly cause shall be found for so doing. [Hening's Statutes, i. 467.]

SECTION 172.

Discoveries Westward and Southward—Virginia, 1660.

Whereas, it hath been formerly granted by act of Assembly, in one thousand six hundred forty and one, and by order of Assembly, in one thousand six hundred fifty and two, for encouragement of discoverers to the westward and southward of this country,

granting all profits arising thereby for fourteen years, it is by this Assembly ordered, that Mr. Francis Hamond and his associates, either jointly or severally, may discover and shall enjoy such benefits, profits and trades for fourteen years as he or they have found or shall find out in places where no English ever have been or discovered or have had particular trade; and to take up such lands by patents (proving their rights) as they shall think good, not excluding others after their choice from taking up lands and planting in those now new discovered places, as in Virginia now is used; but wholly from the trade during the said fourteen years, that being wholly appropriated to the said Francis Hamond and his associates. [Hening's Statutes, i. 548.]

SECTION 173.

Grants to Settlers, etc.—New Jersey, 1664.

“And that the planting of the said province may be the more speedily promoted, we do hereby grant unto all persons who have already adventured to the said province of New Cæsarea or New Jersey, or shall transport themselves or servants before the first day of January, which shall be in the year of our Lord one thousand six hundred and sixty-five, these following proportions, viz: To every freeman that shall go with the first governor from the port where he embarks, or shall meet him at the rendezvous he appoints, for the settlement of a plantation there, armed with a good musket, bore twelve bullets to the pound, with ten pounds of powder, and twenty pounds of bullets, with bandiliers and match convenient, and with six months’ provision for his own person, arriving there, one hundred and fifty acres of land, English measure, and for every able servant that he shall carry with him, armed and provided as aforesaid, and arriving there, the like quantity of one hundred and fifty acres, English measure; and whosoever shall send servants at that time shall have, for every able man servant he or she shall send, armed and provided as aforesaid, and arrive there, the like quantity of one hundred and fifty acres; and for every weaker servant or slave, male or female, exceeding the age of fourteen years, which any one shall send or carry, arriving

there, seventy-five acres of land; and for every Christian servant, exceeding the age aforesaid, after the expiration of their time of service, seventy-five acres of land for their own use." ["The concession and agreement of the lords proprietors of the province of New Cæsarea, or New Jersey, to and with all and every the adventurers and all such as shall settle or plant there." 1664]. ["The Grants, Concessions," Acts, etc., of New Jersey, by Leaming & Spicer, pp. 20, 21.]

"The governor and Council and General Assembly (if any be) are to take care and direct that all lands be divided by general lots, none less than two thousand one hundred acres, nor more than twenty-one thousand acres in each lot, excepting cities, towns, etc., and the near lots of townships, and that the same be divided into seven parts, one-seventh part to us, our heirs and assigns; the remainder to persons as they come to plant the same, in such proportions as is allowed." [Ib. p. 23.]

Annual rent of one-half penny per acre to be paid to the lords proprietors. [Ib. 24.]

SECTION 174.

Extravagant Land Grant—New York, 1696.

"And, whereas, there is an extravagant grant of land, sealed with the seal of the province, made by Colonel Fletcher, late governor of this province, under his majesty, unto Mr. Godfrey Dellius, bearing date the third day of September, one thousand six hundred and ninety-six, and registered in the secretary's office, containing a certain tract of land lying upon the east side of Hudson's river, between the northermost bounds of Saratoga and the Rock Rossian, containing about seventy miles in length, and goes backward into the woods, from the said Hudson's river, twelve miles, until it comes unto the Wood creek, and so as far as it goes, be it twelve miles, more or less, from Hudson's river, on the east side, and from said creek by a line twelve miles distant from said river: to have and to hold the said land and appurtenances unto him, the said Godfrey Dellius, his heirs and assigns forever, under the rent reserved of one raccoon skin per annum."

The governor of New York was subsequently instructed "to

use all legal means for the breaking of extravagant grants of land in this province," and the foregoing grant was annulled by an act passed on the 12th of May, 1699. [Laws of New York, 1691 to 1773, p. 32.]

SECTION 175.

An Act for Seating and Planting—Virginia, 1666.

Whereas, there is in all patents a provisional clause for planting and seating the land therein granted, in three years, but never yet by any law declared what was meant by that clause, nor what should be accounted sufficient seating and planting, this Grand Assembly, for the better explanation thereof, have declared and enacted that building an house and keeping a stock one whole year upon the land shall be accounted seating; and that clearing, tending and planting an acre of ground shall be accounted planting; and that either of those shall be accounted a sufficient performance of the condition required by the patent; and that after such planting and seating of land, as aforesaid, and continuance of paying the quit rents, no land shall be adjudged to be deserted. [Hening's Statutes, ii. 244.]

SECTION 176.

Price of Lands—Carolina, 1695.

"And be it further enacted by the authority aforesaid, that no person or persons whatsoever, who hath lands in this part of this province, and from whom rent was and is due for the same, shall be obliged to pay for the purchase of such lands more than twenty pounds current money for a thousand acres, reserving twelve pence rent for each hundred, for and during the time limited in this act, and so proportionably for a greater or lesser quantity; and that all person or persons, for and during the limited time aforesaid [five years], shall buy and purchase lands for twenty pounds a thousand acres, in pieces of eight, weighing not less than sixteen penny-weight, or twenty-five pounds current money, reserving twelve

pence a hundred acres rent, and so proportionably for a greater or lesser quantity." [Statutes of South Carolina, ii. 101.]

"In 1708 emigrants from Germany were furnished with land, one hundred acres per head, free of quit rent for ten years." [Statutes of South Carolina, i. 429.]

SECTION 177.

Payment of Rents—Carolina, 1719.

"And to prevent all disputes that may arise in what the lords' rents shall be paid, be it further enacted by the authority aforesaid, that all rents in arrears, or that shall hereafter become due to the lords proprietors, shall be paid either in lawful money, according to the statute of the sixth of Queen Ann, or else in good merchantable rice, at the rate of seventeen shillings and sixpence per hundred, or good pitch, at the rate of fifteen shillings per barrel, or tar, at the rate of seven shillings and sixpence per barrel, rent." [Statutes of South Carolina, iii. 46.]

SECTION 178.

Lands Holden of the King—Connecticut, 1717.

"It is hereby enacted and declared by this Assembly and the authority thereof, that all lands in this government are holden of the king of Great Britain as the lord of the fee, and that no title to any lands in this colony can accrue by any purchase made of Indians on pretense of their being native proprietors thereof, without the allowance or approbation of the Assembly." [Acts and Laws of Connecticut (1750), 110.]

SECTION 179.

Fraud in Surveying Lands—Georgia, 1765.

"An act to prevent frauds and abuses in the admeasuring and laying out his majesty's lands in this province," is prefixed by the following preamble :

“Whereas, frauds and abuses have been committed in admeasuring and laying out his majesty’s lands in this province, owing to the practice of bearing the chain by negroes, and by white persons not sworn to the faithful performance of that service, on the several surveys which the deputy surveyors are employed in, whereby it often happens that the quantity of land directed to be laid out by the warrant of survey doth in the field far exceed the number of acres represented by the plat returned to be annexed to the grant of such land, and tends to defraud the public of the taxes and his majesty of his quit rents, on the surplus measure of such incorrect and unjust surveys, which abuse in many instances, is not in the power of the surveyor-general or his deputies timely to detect.” [Marbury and Crawford’s Digest of the Laws of Georgia, p. 313, 314.]

SECTION 180.

Lands for Protestants—South Carolina, 1738.

“His most sacred majesty has been graciously pleased, by warrant bearing date the twentieth day of July, in the year of our Lord one thousand seven hundred and thirty-eight, to order and direct that the surveyor-general of the lands in this, his province of South Carolina, do survey and lay out unto John Cartwright, of the parish of St. James, within the liberty of Westminster, in the county of Middlesex, gentleman, and his associates, two hundred thousand acres of land, between the rivers Santee and Wateree, in four different parcels of fifty thousand acres each, and to be laid out as contiguous as may be, but none of them to be at a greater distance than ten miles from some other of them; provided,” etc., “and provided that the said John Cartwright and his associates do pay the usual fees for passing the said grants, and do settle on the said lands one thousand protestants within the space of ten years from the date of the said grants.” [Statutes of South Carolina, iii. 593.]

By an act of June 14, 1751, the sum of “six pounds, proclamation money,” was promised to “every poor protestant whatever from Europe, or other poor protestant (his majesty’s subject) of good character,” and “above the age of twelve and under the age

of fifty years," who became, within three years after the passage of the act, a settler on certain lands in the province, and "within forty miles of the sea-coast." [Ib. 741.]

SECTION 181.

Instructions to the Surveyor-General—Carolina, 1715.

And be it further enacted by the authority aforesaid, that the surveyor-general and his deputy shall observe in surveying and laying out of all lands to be taken up from henceforward, that lie on a navigable river or creek, that he shall run a full mile on a direct course into the woods, and each opposite line shall run parallel with the other, if it can be admitted for other people's lines, or rivers or creeks; and for all lands taken up wholly in the woods the survey shall be upon a square, if it can be admitted as aforesaid.

And be it further enacted by the authority aforesaid, that no surveyor or deputy-surveyor, from and after the time aforesaid, shall survey or lay out more than six hundred and forty acres of land in one tract, nor shall survey or lay out two several tracts of land for any one person within two miles at least of each other, unless by particular warrant from the lords proprietors for that purpose. [Martin's Laws of North Carolina, i. 15.]

SECTION 182.

Holding Large Tracts of Land—South Carolina, 1725.

The preamble to "An act for the better settling and strengthening of this province" contains the following passage:

"Whereas, the engrossing and holding of large tracts of land, unimproved, by several persons, is very detrimental to the well settling of this province; and whereas, it is found by experience that the number of white people for that reason have not increased, and it being very necessary that some further measures should be taken for the importation of white people, in order to the better settling and strengthening of this province, we therefore pray your

most sacred majesty that it may be enacted," etc. The act required every owner of two thousand acres of land to "furnish one indented servant to serve in the militia" of the province; "and for every thousand acres more, one other indented servant," such servants to be accoutered "according to the militia act," and to appear in the militia every six months, "and no oftener, except on alarms and general musters." [Statutes of South Carolina, iii. 255.]

SECTION 183.

Purchasing Lands from Indians—South Carolina, 1739.

The preamble to "An act to restrain and prevent the purchasing of land from Indians," says:

"Forasmuch as the practice of purchasing lands from Indians may prove of very dangerous consequence to the peace and safety of this province, such purchases being generally obtained from Indians by unfair representations, fraud and circumvention, or by making them gifts or presents of little value, by which practices great resentments and animosities have been created amongst the Indians towards the inhabitants of this province." [Statutes of South Carolina, iii. 525.]

SECTION 184.

Townships—South Carolina, 1739.

In 1739 several townships, each containing twenty thousand acres, were marked out for distinct parishes. [Statutes of South Carolina, i. 430.]

SECTION 185.

Settlement of Lands—Virginia, 1748.

"And for the better explaining and ascertaining what shall be a sufficient seating, cultivation and improvement, to save lands from becoming lapsed or forfeited, it is hereby further enacted and declared that every survey of lands intended to be patented shall be

made and returned by a sworn surveyor, duly commissioned for that purpose, and that the breadth of every tract so to be surveyed shall be one third at least in proportion to the length thereof, except where the courses shall be interrupted by rivers, creeks or unpassable mountains and swamps, or by the bounds of other lands before taken up or patented; and that for every fifty acres of land which shall be granted in or by any patent hereafter to be issued, the patentee shall, within three years after the date of his patent, clear, tend and work three acres at least, and so proportionably for a greater or less quantity, in some part of his tract where he shall think best, or shall clear and drain three acres of swamp or sunken grounds or marsh, if any such be within the bounds of his tract, or he shall put and keep on his tract, within the time aforesaid, three neat cattle, or six sheep or goats, for every fifty acres, during the term of three years; and that if any patentee or proprietor shall, within three years, as aforesaid, begin to work in digging any stone quarry, coal or other mine upon his tract, and continue the same for three years then next following, he shall, for every able person so employed, save one hundred acres; and that for every three acres well fenced and cleared, which shall be kept and used for a pasture during the term of three years, the patentee shall save fifty acres; and that where the patentee or proprietor of any lands shall, within three years as aforesaid, expend any sum or sums of money, or tobacco, in building houses, water-mills or other works, or in planting trees or quick-set hedges, or making any other improvements, for every five pounds current money, or the value thereof, so expended, he shall save fifty acres, and so proportionably for a greater or lesser sum." [Hening's Statutes, v. 424, 425.]

SECTION 186.

Virginia, 1753.

An act for further encouraging persons to settle on the waters of the Mississippi.

I. Whereas, it will be a means of cultivating a better correspondence with the neighboring Indians, if a farther encourage-

ment be given to persons who have settled, or shall settle on the waters of the Mississippi, in the county of Augusta; and whereas, a considerable number of persons, as well his majesty's natural born subjects as foreign protestants, are willing to come into this colony, with their families and effects, and settle upon the lands near the said waters, in case they can have such encouragement for so doing; and whereas, the settling that part of the country will add to the strength and security of the colony in general, and be a means of augmenting his majesty's revenue of quit rents;

II. Be it therefore enacted by the lieutenant governor, council and burgesses of this present General Assembly, and it is hereby enacted by the authority of the same, that all persons being protestants who have already settled or shall hereafter settle and reside on any lands situate to the westward of the ridge of mountains that divides the rivers Roanoke, James and Potomac from the Mississippi, in the county of Augusta, shall be and are exempted and discharged from the payment of all public, county and parish levies for the term of fifteen years next following, any law, usage or custom to the contrary thereof, in anywise, notwithstanding. [Hening's Statutes, vi. 355, 356.]

SECTION 187.

Virginia, 1754.

A proclamation for encouraging men to enlist in his majesty's service for the defense and security of this colony.

Whereas, it is determined that a fort be immediately built on the river Ohio, at the fork of Monongahela, to oppose any further encouragements [?] or hostile attempts of the French and Indians in their interest, and for the security and protection of his majesty's subjects in his colony; and as it is absolutely necessary that a sufficient force should be raised to erect and support the same; for an encouragement to all who shall voluntarily enter into the said service, I do hereby notify and promise, by and with the advice and consent of his majesty's council of this colony, that over and above their pay, two hundred thousand acres of his majesty the king of Great Britain's lands, on the east side of the river Ohio, within this

dominion (one hundred thousand acres whereof to be contiguous to said fort, and the other hundred thousand acres to be on or near the river Ohio) shall be laid off and granted to such persons, who by their voluntary engagement and good behavior in the said service shall deserve the same. And I further promise that the said lands shall be divided amongst them, immediately after the performance of the said service, in a proportion due to their respective merit, as shall be represented to me by their officers, and held and enjoyed by them without paying any rights, and also free from the payment of quit rents, for the term of fifteen years; and I do appoint this proclamation to be read and published, at the court houses, churches and chapels in each county within this colony, and that the sheriffs take care the same be done accordingly.

Given at the council chamber in Williamsburgh, on the 19th day of February, in the twenty-seventh year of his majesty's reign, Annoque Domini 1754. God save the king.

ROBERT DINWIDDIE.

[Hening's Statutes, vii. 621, 622.]

SECTION 188.

An Act to Prevent Hunting on Indian Lands—Pennsylvania, 1760.

“Whereas, many disorderly people have made it a practice of hunting on the lands not yet purchased of the Indians, to their great damage and dissatisfaction, which may be attended with fatal consequences to the peace and welfare of this province, by destroying that union and harmony which this government has lately restored and concluded with the Indians at a very great expense; and, whereas, many of the industrious inhabitants on the frontiers of this province are thereby discouraged from returning and settling upon the plantations which they were obliged to leave and evacuate during the late Indian incursions; therefore, to remedy the great mischiefs which may ensue from the continuance of this evil practice, be it enacted, that if any person or persons whatsoever, either singly or in companies, after the passing of this act, shall presume to hunt, chase, or follow any deer, buck, doe, fawn, or any other wild beast, wild fowl, or game, whatsoever, or shall set traps for

beaver or other beasts, without the limits of the lands purchased of the Indians by the proprietaries of this province, such person or persons so offending and being thereof legally convicted in any court of quarter sessions of the county where such offenders shall be apprehended (in which said court the same offense is hereby made cognizable), by the oath or affirmation of one or more witnesses, or by the confession of the party, every person so offending, shall forfeit and pay for every such offense the sum of fifty pounds, or suffer twelve months imprisonment." [Dallas' Laws of Pennsylvania, i. 390, 391.]

SECTION 189.

Lands Reserved for the Use of Indians—1763.

Extract from the proclamation of the king :

And, whereas, it is just and reasonable, and essential to our interest and the security of our colonies, that the several nations or tribes of Indians with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories as, not having been ceded or purchased by us, are reserved to them, or any of them, as their hunting grounds, we do, therefore, with the advice of our privy council, declare it to be our royal will and pleasure that no governor or commander-in-chief in any of our colonies of Quebec, East Florida or West Florida, do presume, upon any pretense whatever, to grant warrants of survey, or pass any patents, for lands beyond the bounds of their respective governments, as described in their commissions; as also that no governor or commander-in-chief in any of our colonies or plantations in America do presume, for the present and until our future pleasure be known, to grant warrants of survey or pass patents for any lands beyond the heads or sources of any of the rivers which fall into the Atlantic ocean from the west and northwest, or upon any lands, whatever, which, not having been ceded to or purchased by us, as aforesaid, are reserved to the said Indians or any of them.

And we do further declare it to be our royal will and pleasure for the present, as aforesaid, to reserve under our sovereignty, pro-

tection and dominion, for the use of the said Indians, all the lands and territories not included within the limits of our said three new governments, or within the limits of the territory granted to the Hudson's Bay Company, as also all the lands and territories lying to the westward of the sources of the rivers which fall into the sea from the west and northwest, as aforesaid; and we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatever, or taking possession of any of the lands above reserved, without our special leave and license for that purpose first obtained.

And we do further strictly enjoin and require all persons whatever, who have either wilfully or inadvertently seated themselves upon any lands within the countries above described, or upon any other lands, which, not having been ceded to or purchased by us, are still reserved to the said Indians, as aforesaid, forthwith to remove themselves from such settlements. [Hening's Statutes, vii. 666, 667.]

SECTION 190.

Opinion of the High Court of Chancery of Virginia.

Extract: "Between the king's proclamation in 1763, and the governor's order in council, of December, 1773, all other people, as well as mere settlers, were restrained from obtaining grants of land on the western waters. This restraint is conceived to have been unlawful. Lands, before they were granted, were indeed called the king's lands; but he was only the dispenser of them to others, being unable to appropriate, by his single act, one acre to his own use; and, on the contrary, being bound to grant them to those who were proceeding, in the course prescribed by law, to acquire exclusive ownership of them, and who, if not obstructed in that course, would have been complete proprietors. Those who affirm the regal territorial dominion to have been other than that which is now defined, if they attempt to maintain it by adjudications of English courts, or even of American courts before the late revolution, or by acts of English governors, are warned that the authorities of those documents in this question is denied." [Decisions of Cases in Virginia, by the High Court of Chancery (by George Wythe), p. 40, Richmond, 1795.]

SECTION 191.

Land Bounties to Officers and Soldiers—1763.

Extract from the proclamation of the king.

“And whereas, we are desirous, upon all occasions, to testify our royal sense and approbation of the conduct and bravery of the officers and soldiers of our armies, and to reward the same, we do hereby command and empower our governors of the said three new colonies, and all other our governors of our said provinces on the continent of North America, to grant, without fee or reward, to such reduced officers as have served in North America during the late war, and to such private soldiers as have been or shall be disbanded in America and are actually residing there and shall personally apply for the same, the following quantities of lands, subject at the expiration of ten years to the same quit rents as other lands are subject to in the province within which they are granted, as also subject to the same conditions of cultivation and improvement, viz :

“To every person having the rank of a field officer, five thousand acres; to every captain, three thousand acres; to every subaltern or staff officer, two thousand acres; to every non-commissioned officer, two hundred acres; to every private man, fifty acres.

“We do likewise authorize and require the governors and commanders-in-chief of all our said colonies upon the continent of North America to grant the like quantities of land, and upon the same conditions, to such reduced officers of our navy, of like rank, as served on board our ships of war in North America at the times of the reduction of Louisbourg and Quebec, in the late war, and who shall personally apply to our respective governors for such grants.” [Hening’s Statutes, vii. 666.]

SECTION 192.

Notice to Settlers on Indian Lands—Pennsylvania, 1766.

The following notice to settlers on Indian lands was published in June, 1766, by Alexander Mackey, who commanded a party of the forty-second regiment at Redstone creek, Pennsylvania :

“In consequence of several complaints made by the savages

against the people who have presumed to inhabit some part of the country west of the Allegheny mountain, which by treaty belongs to them, and had never been purchased, and which is contrary to his majesty's royal proclamation, his excellency, the commander-in-chief, out of compassion to your ignorance, before he proceeds to extremity, have been pleased to order me, with a detachment from the garrison of Fort Pitt, to come here and collect you together, to inform you of the lawless and licentious manner in which you behave, and to order you all to return to your several provinces without delay, which I am to do in the presence of some Indian chiefs, now along with me. I therefore desire you will all come to this place, along with the bearer, who I have sent on purpose to collect you together.

"His excellency, the commander-in-chief, has ordered, in case you should remain after this notice, to seize and make prize of all goods and merchandise brought on this side of the Allegheny mountain, or exposed to sale to Indians at any place except at his majesty's garrison; that goods thus seized will be a lawful prize, and become the property of the captors. The Indians will be encouraged in this way of doing themselves justice, and if accidents should happen, you lawless people must look upon yourselves as the cause of whatever may be the consequence hurtful to your persons and estates; and if this should not be sufficient to make you return to your several provinces, his excellency, the commander-in-chief, will order an armed force to drive you from the lands you have taken possession of to the westward of the Allegheny mountain, the property of the Indians, till such time as his majesty may be pleased to fix a further boundary.

"Such people as won't come to this place are to send their names and the province they belong to, and what they are to do, by the bearer, that his excellency, the commander-in-chief, may be acquainted with their intentions.

"I am yours, etc.,

ALEXANDER MACKEY,

"Commanding a party of the 42d Reg't.

"To all whom it may concern.

"REDSTONE CREEK, June 22, 1766."

[Pennsylvania Archives, 1760-1776, iv. p. 251; Colonial Records, vol. ix. p. 327.]

SECTION 193.

Proclamation Concerning Settlers on Indian Lands—Virginia, 1766.

On the 31st of July, 1766, Francis Fauquier, "his majesty's lieutenant-governor and commander-in-chief" of the colony and dominion of Virginia, published the following proclamation:

"Whereas, I have lately received letters from his excellency Major-General Gage, and Major William Murraye, commanding officer at Fort Pitt, informing me that several people of Virginia have seated themselves on lands belonging to the Indians, to the westward of the Allegheny mountains, and contiguous to the river Cheek, in disobedience to his majesty's commands (notified by two proclamations of the 7th of October, 1763, and the 10th of April, 1766), in violation of the friendship subsisting between us and the said Indians, and in contempt of the dreadful consequences which I am warned are to be suddenly apprehended from such unjust and licentious proceedings, I have, therefore, to put a stop to these and all other the like encroachments for the future, thought fit, by and with the advice of his majesty's council, to issue this proclamation in his majesty's name; hereby strictly enjoining and requiring all persons who have made such settlements immediately to evacuate the same and to pay the strictest obedience hereafter to his majesty's commands herein signified; which, if they shall fail to do, they must expect no protection or mercy from government, and be exposed to the revenge of the exasperated Indians.

"Given under my hand and the seal of the colony, at Williamsburg, this 31st day of July, 1766, and in the sixth year of his majesty's reign. God save the king.

"FRANCIS FAUQUIER."

[Pennsylvania Archives, 1760-1776, iv. p. 255; Pennsylvania Colonial Records, ix. p. 340.]

SECTION 194.

Pennsylvania, in 1768, Declares that Certain Settlers on Indian Lands "Shall Suffer Death without the Benefit of Clergy."

Extract from an act of the General Assembly of the province of Pennsylvania, passed on the 3d day of February, 1768:

“Whereas, many disorderly people, in violation of his majesty’s proclamation, have presumed to settle upon lands not yet purchased from the Indians, to their damage and great dissatisfaction, which may be attended with dangerous and fatal consequences to the peace and safety of this province, be it therefore enacted by the Honorable John Penn, Esquire, lieutenant-governor under the Honorable Thomas Penn and Richard Penn, true and absolute proprietaries of the province of Pennsylvania and counties of New Castle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said province, in General Assembly met, and by the authority of the same, that if any person or persons settled upon any lands within the boundaries of this province, not purchased of the Indians by the proprietaries thereof, shall neglect or refuse to remove themselves and families off and from the same lands within the space of thirty days after he or they shall be required so to do, either by such persons as the governor of the said province shall appoint for that purpose, or by his proclamation to be set up in the most public places of the settlements on such unpurchased lands, or if any person or persons being so removed shall afterward return to his or their settlement, or the settlement of any other person, with his or their family, or without any family, to remain and settle on such lands, or if any person shall, after the said notice to be given as aforesaid, reside and settle on such lands, every such person or persons so neglecting or refusing to remove his or their family, or returning to settle as aforesaid, or that shall settle on any such lands after the requisition or notice aforesaid, being thereof legally convicted, by their own confession or the verdict of a jury, shall suffer death without the benefit of clergy: provided, always, nevertheless, that nothing herein contained shall be deemed or construed to extend to any person or persons who now are or hereafter may be settled on the main roads or communications leading through this province to Fort Pitt, under the approbation and permission of the commander-in-chief of his majesty’s forces in North America, or of the chief officer commanding in the western district to the Ohio, for the time being, for the more convenient accommodation of the soldiery or others, or to such person or persons as are or shall be settled in the neighborhood of Fort Pitt,

under the approbation and permission aforesaid, or to a settlement made by George Croghan, Esquire, deputy superintendent of Indian affairs under Sir William Johnson, on the Ohio above the said fort, anything herein contained to the contrary in anywise notwithstanding." * * *

"This act shall continue in force during the term of one year, and from thence to the next sitting of Assembly, and no longer." [Pennsylvania Archives, 1760-1776, iv. p. 283; Pennsylvania Colonial Records, ix. 481.]

SECTION 195.

An Act to Prevent Settling on Indian Lands—Pennsylvania, 1769.

"Whereas, many disorderly persons have presumed to settle upon lands not purchased of the Indians, which has occasioned great uneasiness and dissatisfaction on the part of the said Indians, and have been attended with dangerous consequences to the peace and safety of this province; for remedy of which mischief, be it enacted, that if any person or persons, after the publication of this act, either singly or in companies, shall presume to settle upon any lands within the boundaries of this province not purchased of the Indians, or shall make or cause any survey to be made of any part thereof, or mark or cut down any trees thereon, with design to settle or appropriate the same to his own or the use of any other person or persons whatsoever, every such person or persons so offending, being legally convicted thereof in any court of quarter sessions of the county where such offenders shall be apprehended (in which said court the said offenses are hereby made cognizable), shall forfeit and pay for every such offense the sum of five hundred pounds, and suffer twelve months imprisonment without bail or mainprise; and shall moreover, find surety for his good behavior during the space of twelve months from and after the expiration of the term of such imprisonment; one moiety of the said sum of money to the prosecutor and the other moiety to the overseers of the poor of the city or township where such offender shall be apprehended, to the use of the poor thereof." [Dallas' Laws of Pennsylvania, i. 503, 504.]

SECTION 196.

In an official document dated "Philadelphia, January 30, 1775," the governor of the province of Pennsylvania, says: "The lands are held under patents from the proprietaries, and yearly quit rents of various denominations, the highest one penny per acre, a great part only half a penny, and many of the old patents under a small acknowledgement of corn or wheat, etc." [Pennsylvania Archives (1775), p. 595.]

SECTION 197.

For the relief of settlers on certain western lands the General Assembly of Virginia, in 1779, passed an act from which the following preamble is copied:

"Whereas, great numbers of people have settled in the country upon the western waters, upon waste and unappropriated lands, for which they have been hitherto prevented from suing out patents or obtaining legal titles, by the king of Great Britain's proclamation, or instructions to his governors, or by the late change of government, and the present war having delayed until now the opening of land offices and the establishment of any certain terms for granting lands, and it is just that those settling under such circumstances should have some reasonable allowance for the charges and risks they have incurred, and that the property so acquired should be secured to them, be it therefore enacted," etc. The act granted four hundred acres of land to the several families who had made bona fide settlements "upon any waste or unappropriated lands on the said western waters" before "the first day of January, in the year one thousand seven hundred and seventy-eight." [Hening's Statutes, x. p. 38.]

SECTION 198.

Early French Grants of Land in Canada and in Louisiana.

Extract from letters patent, granted in 1598, by the king of France, to the Sieur de La Roche, the king's "lieutenant-general and governor" in the countries of Canada, etc.:

“We have given him authority, as respects the said lands so to be acquired for us in the course of the said voyage, to grant the same in full property to all those to whom he may concede them, that is to say, to gentlemen and those whom he shall consider persons of merit, in the form of fiefs, seigniories, chattelenies, earldoms, viscounties, baronies, and other dignities, to be held of us in such manner as he shall consider due to the services performed by the respective parties, on the condition that they shall aid in the support and defense of the countries, and to other persons of inferior rank, on such dues and annual rent as he may deem just, of which we agree that they shall remain quit and discharged for the first six years, or such other period as our said lieutenant shall believe to be right and necessary, excepting always the duty and service in the event of war.” [Lower Canada Seigniorial Tenure.]

SECTION 199.

French Land Grant in 1686.

Among official documents recently published in Canada appears the following translation of a land grant that was made in 1686, for a missionary station on the border of the river St. Joseph of Lake Michigan:

“Jacques Rene de Brisay, knight, Marquis of Denouville, governor and lieutenant-general for the king in Canada, and Jean Bochart, knight, seignior of Champigny, Noroy and Verneuil, king’s councilor, intendant of justice, police and finances in the said country.

“To all who these presents shall see, greeting: We do hereby make known that, on what has been represented to us by the R. F. Dablon, superior of all the missions of the Society of Jesus in this country, stating that since many years different missionaries of the said society have penetrated into the depths of the forests and traveled along rivers with the view of carrying the faith into the midst of the distant tribes of Indians who inhabit this large portion of the world, and principally Father d’Alloys, who has resided for twenty-two years in the countries inhabited by the Illinois, Mihamis, Otawas, and other nations, where he has settled missions, and

more especially one on the river called Mihamis, named since St. Joseph, falling into the south of Lake Illinois or Ontagamis, where there is a chapel and a mission, on which said river the said Reverend Father Dablon is desirous that the said Father d'Alloys, or some other missionary, should continue to perform the exercises of religion for the instruction of the heathen nations who inhabit the said country, and for that purpose praying that it might be our pleasure to grant him a tract of land, on which he might erect a chapel and a dwelling house and sow a certain quantity of grain and vegetables for the maintenance of the missionaries who may reside therein, and in order also to help the French who may trade in the said country. In consideration thereof, and under and in virtue of the power entrusted to us by his majesty, we have given and conceded unto the said Reverend Father Dablon and other missionaries, a tract of land of twenty arpents in front, on the said St. Joseph, by twenty arpents in depth, at the spot which they shall find the most convenient to build the said chapel and dwelling house and to sow grain and vegetables; to have and to hold the said tract of land unto the said missionaries forever, subject, on their part, to the condition that they shall be held to build thereon a chapel and a dwelling house within three years, and to reside thereon, and that they shall give notice to the king of the mines, ores and minerals which may be found therein, and to have these presents confirmed by his majesty within the said space of three years.

"In testimony whereof, we have signed the present concession, and caused the same to be sealed with our seal-at-arms, and countersigned by our secretaries.

"Done at Quebec, the first day of October, one thousand six hundred and eighty-six.

"Signed,

L. M. DE DENONVILLE.

BOCHAT CHAMPIGNY.

"By command of their lordships.

"Signed, FREDIN."

SECTION 200.

Early Spanish Grants of Land in Florida, etc.

An early ordinance, which was issued to regulate the granting

of lands to settlers in Spanish provinces, contains the following provisions:

"And, as it may happen that, in distributing the lands, there may be a doubt as to the measurements, we declare that a peasant's portion is a lot of fifty feet in breadth and one hundred in depth, arable land, capable of producing one hundred fanegas of wheat and ten of Indian corn; as much land as two oxen can plough in a day, for the raising of esculent roots, and eight of woodland; pasture land for eight breeding sows, twenty cows and five mares, one hundred sheep and twenty goats. A gentleman's portion (*caballeria*) is a lot of one hundred feet in breadth and two hundred in depth, and all the remainder five times the peasant's portion (*peonia*) to wit: arable land, capable of producing five hundred fanegas of wheat or barley; fifty of Indian corn; as much land as ten oxen can plough in a day, for raising esculent roots, and eight of woodland; pasture land for fifty breeding sows, one hundred cows, twenty mares, five hundred sheep and one hundred goats; and we direct that the distribution be made in such form as that all may participate in the good or middling, and of that kind of which there may not be any in that part which shall be pointed out to each." [Land Laws of United States, p. 994.]

SECTION 201.

Grants of Land in Louisiana—1727.

Extract from a letter written by the missionary Du Poisson, dated "At Akensas [Arkansas], 3d October, 1727:"

"They call a 'grant' a certain extent of territory 'granted' by the India Company to one person alone, or to many who have joined together in a partnership, to clear the lands and to make them valuable. These were the persons who, in the days of the great Mississippi bubble, were called the counts and marquises of the Mississippi; thus the grantees are the aristocracy of this country. The greater part have never left France, but have equipped ships filled with directors, stewards, store-keepers, clerks, workmen of different trades, provisions and goods of all kinds. Their business was to penetrate into the woods, to build their cabins there, to make choice

of land, and to burn the canes and trees. These beginnings seemed too hard to people not accustomed to such kind of labor. The directors and their subalterns, for the most part, amused themselves in places where there were some French already settled; there they consumed their provisions, and the work was scarcely commenced before the grant was entirely ruined. The workman, badly paid or badly fed, refused to labor, or else seized his own pay, and the stores were plundered. Was not all this perfectly French? * * *

"They call a 'plantation' a smaller portion of land granted by the company. A man with his wife, or with his associate, clears a small section, builds him a house with four forked sticks, which he covers with bark, plants some corn and rice for his food; another year he raises more provisions and begins a plantation of tobacco, and if finally he attains to the possession of three or four negroes, behold the extent to which he can reach. This is what they call a plantation and a planter. But how many are as wretched as when they commenced.

"They call a 'settlement' a section in which there are many plantations not far distant from each other, forming a kind of village. Besides these grantees and planters, there are also in this country people who have no other business than that of vagabondizing." [Kip's Early Jesuit Missions, p. 233.]

SECTION 202.

Form of Spanish Land Grants.

"That part should be regarded as the front of the land which faces to the best side, namely: first, on rivers; second, on navigable creeks; and third, on roads; and the depth will be the longitudinal extension back. All lands that depend, or have depended, on the grant of government, should have been and must be bounded in rectangular parallelograms, whose front line will be one-third of that of the depth, or as nearly so as possible, for the purpose of not leaving empty spaces of less than ten chains in front." [Land Laws of United States, p. 1004.]

The French authorities in North America were governed by a similar rule in making grants of lands lying on the borders of navigable streams.

PART VI.

COLONIAL LAWS RELATING TO INDIANS.

SECTION 203.

Indians.

The question of the origin of the aborigines of the continent of America is still under discussion among ethnologists, some of whom adopt the opinion of Pritchard, and say that there is nothing, either in the bodily structure or psychology of the American tribes, to prove an independent origin.

In a paper which appears in the *Smithsonian Contributions to Knowledge* (vol. 8, p. 5), Dr. Nott discusses the origin of the American Indians, and presents his conclusions substantially in the following form :

1. That the continent of America was unknown, not only to the ancient Egyptians and Chinese, but to the more modern Greeks and Romans.

2. That, at the time of its discovery, this continent was populated by millions of people resembling each other, possessing peculiar moral and physical characteristics, and in utter contrast with any people of the old world.

3. That the races were found surrounded everywhere by animals and plants specifically different from those of the old world, and created, as it is conceded, in America.

4. That these races were found speaking several hundred languages, which, although resembling each other in grammatical structure, differed in general entirely in their vocabularies, and were all radically distinct from the languages of the old world.

5. That their monuments, as seen in their architecture, sculpture, earth-works, shell-banks, etc., from their extent, dissemination and incalculable numbers, furnish evidence of very high antiquity.

6. That the state of decomposition in which skeletons of the mounds are found, and, above all, the peculiar anatomical structure of the few remaining crania, prove these mound-builders to have been both ancient and indigenous to the soil; because American crania, antique as well as modern, are unlike those of any other race of ancient or recent times.

7. That the aborigines of America possessed no alphabet or truly phonetic system of writing; that they possessed none of the domestic animals, nor many of the oldest arts of the eastern hemisphere, while their agricultural plants were indigenous.

8. That their system of arithmetic was unique; that their astronomical knowledge, in the main, was indubitably of cis-Atlantic origin, while their calendar was unlike that of any people, ancient or modern, of the other hemisphere.

"Whatever exceptions," says Dr. Nott, "may be taken to any of these propositions separately, it must be conceded that, when viewed together, they form a mass of cumulative testimony, carrying the aborigines of America back to the remotest period of man's existence on earth."

SECTION 204.

Theory of Jewish Origin of American Indians.

The opinion that the American Indians are descendants of the Jews has been supported (by Adair and other authors) mainly on the following grounds:

1. Their division into tribes.
2. Their worship of one great spirit.
3. Their belief in ministering angels.
4. Their orders of prophets and high priests.
5. Their manner of counting time.
6. Their festivals, fasts and other religious rites.
7. Their laws of uncleanness.

8. Their ablutions and anointings.
9. Their customs relative to marriage, divorce and adultery.
10. Their purifications and ceremonies before going to war.
12. Their manner of curing the sick.
13. Their ceremonies at the burial of their dead.
14. Their mourning for their dead.
15. Their choice of names adapted to circumstances and times.
16. Their patriarchal form of government.
17. Their belief in a future state of existence.
18. Their belief in witchcraft, etc., etc.

Schoolcraft says: "We have traditionary gleams of a foreign origin of the race of North American Indians from separate stocks of nations, extending at intervals from the Arctic circle to the valley of Mexico. They point decidedly to a foreign, to an oriental, if not a Shemitic origin. Such an origin has, from the first, been inferred. At whatever point the investigation has been made, the eastern hemisphere has been found to contain the physical and mental prototypes of the race. Language, mythology, religious dogmas, the very style of architecture and their calendar, as far as it is yet developed, point to that fruitful and central source of human dispersion and nationality."

In a letter addressed to Thomas Jefferson, on the 28th of June, 1812, John Adams says: "Whether serpents' teeth were sown here and sprung up men; whether men and women dropped from the clouds upon this Atlantic island; whether the Almighty created them here, or whether they emigrated from Europe, are questions of no moment to the present or future happiness of man. Neither agriculture, commerce, manufactures, fisheries, science, literature, taste, religion, morals, nor any other good will be promoted, or any evil averted, by any discoveries that can be made in answer to these questions." [Works of John Adams, vol. x. p. 17.]

Christopher Columbus, in describing some of the Indians of North America to Ferdinand and Isabella of Spain, said: "I swear to your majesties that there is not a better people in the world than these—more affectionate, affable or mild. They love their neighbors as themselves. Their language is the sweetest, the softest and the most cheerful, for they always speak smiling;

and although they go naked, let your majesties believe me, they are very becoming." [Macgregor's Progress of America, i. 69.]

The missionary Hennepin, who visited the valley of the Mississippi in 1680, says:

"Generally speaking, all the savages of the nations I have seen in the Northern America have an extreme indifference for all things. They have no particular attachment to anything, and set no great value upon the most precious things they have. They look upon everything as very much below them; and if they had a thousand crowns, or anything of equal value, they would part with it without trouble, and give it all to have what they desire. But of all the northern nations there is none so indifferent as the Iroquois. They look upon themselves as masters of other people, and have often dared to declare war against the French in Canada, and would have conquered it if they had known their forces.

"Their indifference is such that there is nothing like it under the copes of heaven. They have a great complaisance for all that is said to them, and in appearance do all seriously you entreat them to do. When we say to them, 'Pray to God with us,' they presently do it, and answer, word for word, according to the prayers they have been taught in their tongue. 'Kneel down'—they kneel. 'Take off your bonnet'—they take it off. 'Hold your tongue'—they do it. If one say to them, 'Hear me'—they hearken diligently. If one give them some image, crucifix or beads, they use them as jewels to adorn themselves with. When I said to them, 'To-morrow is Sunday, or prayer day,' they answered me, 'Niaora'—'that's well—I am content.' I said to them sometimes, 'Promise the Great Master of Life never to be drunk any more;' they answered, 'Netho'—'I promise you I'll commit no more such folly;' but as soon as they got aqua vitæ or other strong liquors, which they trucked with the French, English or Hollanders for their furs, they began afresh to be drunk.

"It's necessary to civilize this nation before they be made to embrace the Christian faith. If they be not under the yoke, it's in vain to labor for their conversion, unless God, by a particular grace, should do some miracle in favor of this people. This is all I can say upon this subject, founded upon the experience I, as well

as many other Recolects, have had of them." [Hennepin's Travels (London ed. 1699), p. 123.]

The first volume of the Proceedings of the Historical Society of Pennsylvania contains an article entitled, "Some Remarks and Annotations concerning the Traditions, Customs, Languages, etc., of the Indians of North America, from the Memoirs of the Rev. David Leisberger and other Missionaries of the United Brethren." From this article the following statements are compiled:

The Indians say: Our forefathers knew that there is a God, who has made men and all things, before any white man came to this continent. The old men told the younger, that God is almighty—that he can do what he pleases. They made offerings to him, as a great being, who gave them all good things. Of the Devil they knew nothing; now all Indians believe in a spirit that does all evil.

Priests they had none, but the oldest men admonished others not to murder, not to steal, not to whore, not to cheat one another, and said that such as observed their rules would come to a better place after death, but the other to a bad, dark place.

They directed their children in their prayers to turn their face towards the east, because God hath his dwelling on the other side of the rising sun.

They had some confused notion of the flood, and said all men were once drowned, only a few got on the back of an old big tortoise, floating on the water; that a diver at last brought them some earth in his bill, and directed the tortoise to a small spot of ground, where they alighted and multiplied again. Therefore has the great Tortoise tribe the preference among the tribes.

Of their origin, or coming into this country, some old Mingoes relate that they lived under the earth, in great darkness and saw no sun; they hunted, but got nothing; they lived upon linowa (mice), which they killed with their hands; the ground-hog had worked a hole through the ground, through which some of them crept out, ran about upon the earth, and finding a dead deer, they brought the meat into the earth; the good taste of it, and the account how light and fine it was upon the earth, brought them to the resolution to go out of their dark place; some stayed behind; those coming forth began to plant corn, etc.

Others say the first man came from under the water upon this land. The Nantikokes say, that seven Indians found themselves all at once sitting on the sea-shore, not knowing where they came from, but from these all the Indians did come.

Others say the first person had been a woman, which fell from heaven where her husband had put her away; that she was pregnant and bore twins, which peopled this country. That above was another world inhabited by men, and from them the Indians came.

They say that some of their old men had prophesied that God would send somebody to them before ever any white people came into this country; that they even appointed the days when they were looking out to sea and saw the first ship; that they adored the first white men; they themselves were so stupid that they did not find out the use of the hatchet and other things, but used them only as ornaments until the white people showed them how to make use of them. (Perhaps some had seen or heard of the Europeans landing in other places on the continent and from that pretended a foreknowledge.)

The Indians know no reason for the difference of the several nations, but that it must proceed from their different settlements; when some families settled together in a town they were commonly called by the name of the town.

All the nations from the east, far west and south, have but two original mother tongues, as far as the missionaries could find out, viz: the Maqua or Meugo, and the Delaware. (I suppose that is the language the French called Algonkin.) The five nations have different dialects of the Maquaish. The Hurons and Wiondots, by the Delawares called Delamantinos, come near the Maqua.

The Delawares are divided in three tribes: Unamies, Unalactics and Munzies; the last differ much in the language with the first; with it agrees the Mahican and Wampanos, the Nautikok and Shawanese with the Delaware and Mahican, only that they lay the accent more on the last syllable; the Twichtwees, Wawiachtenos and Ottowas with the Shawanese, and the Chippawas with the Delaware; the Cherokees is a mixture of other languages. The Maqua or Mingo is much easier to learn than the Delaware.

The five nations call the Mahicans, Delawares and all New England savages, Agozhagauta.

The Delawares were called Woapanachki, that is, people from the east. When the Europeans came into this country they lived between Hudson river and Susquehannah, on both sides the river now called Delaware river, from whence they got the name Delawares. They themselves pretend to be the original people and bear the name lenni lennape, original men, and call no other nation lennape, but say, somebody of the Mohocks, Chippawas, Delamatinos, etc.

There is a sort of Indian corn which they call lenni chosquem, as they had that sort before the Europeans came; it bears short, rough and thick ears; it requires less time to grow and ripen than other corn; the grains are not in rows, and there grows commonly between two grains a third farther out. They had also beans and pompions and a sort of tobacco; also a sort of original dogs, with short, pointed ears; they show their teeth as soon as they grow angry and never attack a wolf, when set on, as other dogs do.

Their way of life in old times was very simple; with arrows pointed with sharp stones they killed the deer and other creatures; with sharp stones they skinned and divided them. They made a sort of axes from stones, which they fastened to a stick to kill the trees where they intended to plant. They opened and worked the ground with a sort of hoes, taking the shoulder-blades of a deer, or a tortoise shell, sharpened with stones on one side, and fastening them to a stick. They made pots of clay mixed with powdered muscle shells, and burnt in the fire, to dress their victuals. Fire they made by friction of two pieces of hard wood. The trees for fire-wood they burnt down and into pieces. On their journeys they carried fire in punk or sponges growing on the trees, a great way. They burnt down great trees and shaped them into canoes by fire and the help of sharp stones. Men and women were dressed in skins; the women made themselves also petticoats of wild hemp; of that hemp they made twine to knit the feathers of turkeys, eagles, etc., into blankets.

Their arms and weapons were bows and arrows and a heavy club; they used also a shield of a thick, dried buffalo skin, shaped round, which they held before their bodies, so that the arrows from their enemy were turned off by it.

In war they raised some ramparts about their towns, and round

hillocks, in the top of which they made a hollow place to shelter their women and children in, they placing themselves around and upon it, to fight; in such battles were commonly many killed, whom they buried all in a heap, covering the corpses with bark of trees, stones, earth, etc. On the spot where Shoenbrunn, the Christian Indian town, was built, one can plainly see such a wall or rampart of considerable extent, and not a great way off in the plain is such a burial place or made hillock on which now large oaks stand.

Offerings have been usual among the Indians, time immemorial; they must not be neglected if they shall not be exposed to sickness and other evil. They usually have an offering feast every two years in a family or town. First it is resolved how many deer and bears shall be provided, then they go to a hunting. When they have the full number, they bring it to a separate house or hut prepared for it; when the meat is boiled, four waiters, who are well paid, serve the guests with meat and bread; all is eaten, only some fat and bones are burnt. Dogs must not get anything of it. After eating they dance devoutly and one sings, mentioning the elements, fruits of the earth, and all the gifts of God. When one has done singing another begins.

Such festivals they have four or five, but they can not explain the names of them all.

One of these offering festivals is in honor of the fire, which the Indians call their grandfather, and is called "mashtuzin," sweating. A sweating place, in the form of a hay cock, is prepared of twelve poles, which must be of twelve different sorts or kinds of wood, each being hallowed to a manitto, creatures or fruits of the earth. These twelve sticks or poles, being stuck into the ground, are covered with blankets, so that a man may walk upright in it. After eating, a fire is made before the entrance of the hut. Twelve stones, of the bigness of a head, are made red hot in it, and so put into the hut. These stones get particular names; the first is called Getaunetowiit, the Almighty. Second, gischuohk, the sun, and so on. Then in some places twelve men, and in others but one of the oldest men, go into it and remain as long as possible; whilst they are in, twelve pipes of tobacco, one after the other, are thrown upon the stones, or where but one man is, he goes round strewing tobacco upon the stones, singing; when they come out of the hut

they commonly lie a while in a trance. A buck's skin, with head and horns, is thereby erected on a post, about which the company sings and prays in honor of God, as they say.

Of cursing and swearing they know nothing—they have no words for it.

In the house where a person dies the female relations meet in the evening after sunset and morning before sunrise, and weep about the corpse until it is buried. At putting the corpse into the grave, the women begin a great howling. The mother or grandmother or near relation of the deceased visits morning and evening the grave, and weeps there, and they carry, sometimes, victuals there, laying it on the grave, which the dogs eat.

Their doctors and conjurers are great cheats, who pretend to have converse with God or the Devil, and impose upon the sick and others to get their goods.

There are a few Indians who have an actual knowledge of the virtues of roots and herbs, which they got from their forefathers, and can cure certain diseases, but they seldom communicate their secrets until they see they must soon die.

It is an old opinion that the North American Indians were descendants of the lost ten tribes of the Children of Israel, whom Shalmaneser, king of Assyria, carried from their land far off into captivity. Some think that the remembrance of the Assyrians was the proper reason why the Indians call the Europeans Asse-roni. There are several plausible reasons to supplant that opinion.

They have the very same ornaments of their noses, ears, arms and feet mentioned in the holy Scriptures.

They have the same way of expressing their grief and their joy; in comforting they speak of wiping the tears off; in removing difficulties, of clearing the way from stumps and stones, etc.

SECTION 205.

Massachusetts—Indian Lands—1633.

“For settling the Indian title to lands in this jurisdiction it is declared and ordered by this court, and authority thereof, that what lands any of the Indians in this jurisdiction have pos-

sessed and improved, by subduing the same, they have a just right unto, according to that in Genesis i. 28, and chapter ix, 1, and Psalms cxv, 16. * * * And for the further encouragement of the hopeful work amongst them, for the civilizing and helping them forward to Christianity, if any of the Indians shall be brought to civility, and shall come among the English to inhabit in any of their plantations, and shall there live civilly and orderly, that such Indians shall have allotments among the English, according to the custom of the English in like case." [Laws of Massachusetts (ed. of 1672), p. 74.]

SECTION 206.

Indian Powaws Prohibited—Massachusetts, 1633.

"And it is ordered that no Indian shall at any time powaw or perform outward worship to their false gods, or to the Devil, in any part of our jurisdiction, whether they be such as shall dwell here or shall come hither; and if any shall transgress this law, the powawer shall pay five pounds, the procurer five pounds, and every other countenancing by his presence or otherwise (being of age of discretion), twenty shillings, and every town shall have power to restrain all Indians that shall come into their towns from profaning the Lord's Day." [Laws of Massachusetts (ed. 1672), p. 77.]

SECTION 207.

An Induction to the Acts Concerning Indians—Virginia, 1655.

Whereas, we have been often put into great dangers by the invasions of our neighboring and bordering Indians which humanly have been only caused by these two particulars, our extreme pressures on them and their wanting of something to hazard and lose beside their lives; therefore, this Grand Assembly, on mature advice, doth make these three ensuing acts, which, by the blessing of God, may prevent our dangers for the future, and be a sensible benefit to the whole country for the present.

First. For every eight wolves' heads brought in by the Indians,

the king, or great man (as they call him), shall have a cow delivered to him at the charge of the public. This will be a step to civilizing them and to making them Christians, besides it will certainly make the commanding Indians watch over their own men that do us no injuries, knowing that by their default they may be in danger of losing their estates; therefore be it enacted as aforesaid, only with this exception, that Acomack shall pay for no more than what are killed in their own county.

Secondly. If the Indians shall bring in any children as gages of their good and quiet intentions to us and amity with us, then the parents of such children shall choose the persons to whom the care of such children shall be intrusted, and the country by us, their representatives, do engage that we will not use them as slaves, but do their best to bring them up in Christianity, civility and the knowledge of necessary trades; and, on the report of the commissioners of each respective county that those under whose tuition they are do really intend the bettering of the children in these particulars, then a salary shall be allowed to such men as shall deserve and require it.

What lands the Indians shall be possessed of by order of this or other ensuing Assemblies, such lands shall not be alienable by them, the Indians, to any man *de futuro*, for this will put us to a continual necessity of allotting them new lands and possessions, and they will be always in fear of what they hold, not being able to distinguish between our desires to buy or enforcement to have, in case their grants and sales be desired; therefore, be it enacted, that for the future no such alienations or bargains and sales be valid without the assent of the Assembly. This act not to prejudice any Christian who hath land already granted by patent. [Hening's Statutes, i. 393.]

SECTION 208.

Against Stealing of Indians—Virginia, 1658.

Whereas, divers informations have been given into Assemblies of sundry persons who, by their indirect practices, have corrupted some of the Indians to steal and convey away some of the children

of other Indians, and of others who, pretending to have bought or purchased Indians of their parents, or some of their great men, have violently and fraudulently forced them away, to the great scandal of Christianity and of the English nation, by such their perfidious dealing, rendering religion contemptible and the name of Englishmen odious, and may be of very important and dangerous consequence to the colony if not timely prevented, it is therefore enacted that no person or persons whatsoever shall dare or presume to buy any Indian or Indians (viz.) from or of the English, and in case of complaint made that any person hath transgressed this act, the truth thereof being proved, such person shall return such Indian or Indians, within ten days, to the place from whence he was taken; and, be it further enacted, that whosoever shall inform against any person for breach of this act, and the information being found against the party accused, the offender shall pay unto the informer five hundred pounds of tobacco, to be recovered within any court of justice in this colony. [Hening's Statutes, i. 481, 482.]

SECTION 209.

Free Trade with the Indians—Virginia, 1659.

Whereas, it is manifest that the neighboring plantations, both of English and foreigners, do plentifully furnish the Indians with guns, powder and shot, and do thereby draw from us the trade of beaver, to our great loss and their profit; and besides, the Indians being furnished with as much of both guns and ammunition as they are able to purchase, it is enacted, that every man may freely trade for guns, powder and shot; it derogating nothing from our safety and adding much to our advantage; and this act to be in force the first of April, which shall be in the year one thousand six hundred and sixty. [Hening's Statutes, i. 525.]

SECTION 210.

An Act Concerning the Trusting of Indians—Virginia, 1660.

Whereas, many English trading with the Indians, out of an

inordinate covetousness trust the said Indians with more truck than they are able to pay for, and after making use of the benefit of our laws, with which the Indians are utterly unacquainted, imprison the persons and attach their goods, which provocations may in time contract a war upon the country, be it enacted, that what Englishman soever shall hereafter trust any Indian with any commodities or truck, of what value soever, he shall do it at his own peril; but shall not have benefit of any arrest, plaint, suit or process at law to recover the same; and all courts of justice and their officers to take notice hereof and to proceed accordingly. [Hening's Statutes, i. 541.]

SECTION 211.

Indians may be Sold to Satisfy Certain Demands—Virginia, 1660.

Whereas, John Powell hath complained of damages done to him by the Indians, it is ordered that the commissioners of the county of Northumberland inquire into the said damages, and if, upon sufficient proof, they find any which are considerable, the said commissioners are ordered to award satisfaction, and to give notice to the chief man or men among those Indians that if they do not comply with the said award, then so many of them as the court shall think fit shall be apprehended and sold into a foreign country to satisfy the award, and upon the Indians' refusal to pay what is awarded, the governor and council are desired and authorized to cause some of those Indians to be apprehended and to be accordingly disposed of if they find it necessary. [Hening's Statutes, ii. 15, 16.]

SECTION 212.

An Act Concerning Indians—Virginia, 1666.

Whereas, the late act for the next town of Indians to be answerable for all murders committed in the parts adjacent, seems too full of severity and rigor to be put into execution unless there were at least some probable reason to induce a belief of their being involved in the guilt; and yet if no course be taken for

restraint and prevention of the like insolencies and murders, there can be little hopes of security to the English, be it therefore enacted by this Grand Assembly and the authority thereof, that in Henrico county, which, as a frontier, is most exposed to those dangers, the bounds already fixed on the south side of James river be confirmed, and that the militia of that county do lay out the bounds on the north side of the river, to limit the Indians about them; and that after such bounds laid out and notice thereof given, any Indian shall presume to come in contrary to act in force, that then it shall be lawful for any Englishman to kill such Indian or Indians so transgressing; by the success whereof in the county it will appear whether the same course be necessary to be put in practice in other places; and be it further enacted, that where the Indians, in any part of Virginia, shall be found still refractory, and not obedient to the said act, that notice thereof being given to the right honorable the governor, his honor be desired by force to reduce them to a conformable obedience: provided that such Indians as shall come upon messages or other public employments to the places and persons by the governor's honor permitted, and shall keep their direct paths, shall be exempted from being liable to the severity of this act. [Hening's Statutes, ii. 237, 238.]

SECTION 213.

Indians as Jurors—New Jersey, 1676.

“And also in case any of the proprietors, freeholders or inhabitants shall anywise wrong or injure any of the Indian natives there, in person, estate, or otherwise, the commissioners are to take care, upon complaint to them made, or any one of them, either by the Indian natives or others, that justice be done to the Indian natives, and plenary satisfaction made them, according to the nature and quality of the offense and injury. And that in all trials wherein any of the said Indian natives are concerned, the trial to be by six of the neighborhood and six of the said Indian natives, to be indifferently and impartially chosen by order of the commissioners; and that the commissioners use their endeavor to persuade the natives to the like way of trial when any of the natives do any

ways wrong or injure the said proprietors, freeholders or inhabitants, that they choose six of the natives and six of the freeholders or inhabitants to judge of the wrong and injury done, and proportion satisfaction accordingly." ["Concessions from the Proprietors and Planters;" Leaming & Spicer's Laws of New Jersey, p. 401.]

SECTION 214.

Indian Guns—New Jersey, 1675.

"Be it further enacted, that no blacksmith or locksmith, or any other person whatsoever within this province, do make, mend, or any way repair any Indian's gun or guns, upon the penalty of paying, being thereof convicted, for the first offense, the sum of twenty shillings; for the second offense, forty shillings; and for the third offense, to double the whole, and so to continue, which fines to be one-half to the informer and the other half to the public use." [Leaming & Spicer's Laws of New Jersey, p. 103.]

SECTION 215.

Indians to be Treated with Kindness—New Jersey, 1664.

The following passage appears in the first instructions which were issued for the government of New Jersey:

"And lastly, if our governor and council shall happen to find any natives in our said province and tract of land aforesaid, that then you treat them with all humanity and kindness, and not in anywise grieve and oppress them; but endeavor, by a Christian carriage, to manifest piety, justice and charity, and in your conversation with them, the manifestation whereof will prove beneficial to the planters and likewise advantageous to the propagation of the gospel." [Leaming & Spicer's Laws of New Jersey, p. 30.]

SECTION 216.

Selling Intoxicating Liquors to Indians—New Jersey, 1679.

"No person or persons, within this province, shall, either

directly or indirectly, under what pretense soever, from and after the publication hereof, sell, give, lend, or any other way dispose to any Indian, any sort of strong drink, viz: rum, brandy, wine or cider, strong beer, or any other toxications liquor, under the penalty of corporal punishment, to be inflicted on any person or persons so offending; that is to say, to receive twenty lashes upon the bare back for the first offense, thirty for the second, and for the third imprisonment during the governor's pleasure, and such other penalties as the court of assizes shall think fit." [Leaming & Spicer's Laws of New Jersey, p. 133.]

SECTION 217.

Indians to bring in Skins of Wild Beasts or to be Whipped—Carolina, 1696.

"Whereas, the Indian nations of that part of this province of Carolina that lies south and west of Cape Fear have for several years past, by means and interest of us, the subjects of King William, over England, etc., been furnished with clothes and all sorts of tools necessary for making their provisions, and have from time to time, as often as they have had need thereof, been protected and defended from their enemies, at our trouble, expense of time and charges, and by our forces; in consideration whereof they have not hitherto been any ways useful or serviceable, or contributing to the inhabitants of this province more than they have been particularly and specially rewarded for; and because the nations of Sante Helena, Causa, Wimbehe, Conbehe, Edisto, Stonoe, Kiaway, Itwan, Sewee, Santee, Cussoes, have freely and voluntarily offered and consented to be obliged to kill and bring in to such persons as by the Assembly shall be appointed to receive the same in Charleston, for every Indian man capable of killing deer, of every respective nation, yearly, one wolf's skin, one tiger's skin, or one bear's skin, or two cat skins; be it enacted by his excellency William, Earl of Craven, palatine, and the rest of the true and absolute lords and proprietors of the province of Carolina, by and with the advice and consent of the rest of the members of the General Assembly, now met at Charleston, for the southwest part of this province, that every Indian bowman, capable to kill deer, as afore-

said, of the several nations of Indians before named, shall, some time before the twenty-fifth day of November, one thousand six hundred and ninety-six, and so yearly forever, bring in to such person or persons as shall be appointed by the governor for the time being to receive the same, one wolf's skin, or one tiger's skin, or one bear skin, or two cat skins." [Statutes of South Carolina, ii. 108, 109.] The chief of each nation, with the assistance of his captains, was "required and empowered" "to bring to Charleston," every delinquent Indian, and "there upon his bare back severely whip, in sight of the inhabitants of the said town; which whipping," says the act, "shall be instead of that skin which otherwise the said Indian ought to have given to the receiver." ["Act for destroying Beasts of Prey," etc. South Carolina, 1696.]

SECTION 218.

An Act to Prevent Abuses of the Indians—Massachusetts, 1700.

"Whereas, some of the principal and best disposed Indians within this province have represented and complained of the exactions and oppression which some of the English exercise towards the Indians, by drawing them to consent to covenant or bind themselves or children apprentices or servants, for an unreasonable term, on pretense of or to make satisfaction for some small debt contracted or damage done by them; for redress whereof, be it enacted and declared by his excellency the governor, council and representatives in general court assembled, and by the authority of the same, that from and after the publication of this act no Indian shall contract or put or bind him or herself, or child, apprentice or a servant to any of his majesty's subjects, for any time or term of years, but by and with the allowance and approbation of two or more of his majesty's justices of the peace, who are required to take special care that the contract or covenant so to be made, and the condition or terms thereof, be equal and reasonable both with respect to the time of service and otherwise.

"And be it further enacted, by the authority aforesaid, that the justices of the general sessions of the peace within the respective counties be and are hereby empowered, upon complaint made by

any Indian native of this country, that is or shall be aggrieved by any indenture, covenant or agreement heretofore made for any time or term of service not yet expired, to hear and relieve such Indian according to justice and equity, and to regulate and order the time for such service as they shall judge reasonable." [Laws of Massachusetts (Baskett's ed. 1724), p. 179.]

SECTION 219.

Act Against Selling Strong Liquors to Indians—Pennsylvania, 1701.

"And forasmuch as several Sachems or Sachamacks, kings of the Indian nations, have, in their treaties with the proprietary and governor, earnestly desired that no European should be permitted to carry rum to their towns because of the mischiefs before expressed, and since these evil practices plainly tend to the great dishonor of God, scandal of the Christian religion, and hindrance to the embracing thereof, as well as drawing the judgments of God upon the country if not timely prevented; for the prevention whereof for the future, be it further enacted, that if any person inhabiting in this province, or others, shall, after the publication hereof, directly or indirectly sell, barter, give or exchange, by themselves or others, any rum, brandy or other spirits, mixed or unmixed, to or with any Indian within this province, and be legally convicted thereof, shall, for every such offense, forfeit ten pounds, one half to the use of the county wherein he is convicted and the other half to the discoverer and prosecutor, to be recovered in any court of record 'within this government.'" [Dallas' Laws of Pennsylvania, i. 39, 40.]

SECTION 220.

Indian Traders—Carolina, 1707.

The preamble to an act of July 19, 1707, for "Regulating the Indian Trade," etc., says:

"The greater number of those persons that trade among the

Indians in amity with this government do generally lead loose, vicious lives, to the scandal of the Christian religion, and do likewise oppress the people among whom they live by their unjust and illegal actions, which, if not prevented, may, in time, tend to the destruction of this province." [Statutes of South Carolina, ii. 309.]

SECTION 221.

Reward for Killing or Capturing Indian Enemy—Carolina, 1708.

"Every Indian who shall take or kill an Indian man of the enemy, shall have a gun given him for his reward." [Statutes of South Carolina, ii. 324.]

SECTION 222.

Cusaboe Indians—Carolina, 1712.

The Assembly of the province of Carolina passed "An act for the settling the island called Palawanee upon the Cusaboe Indians," "and upon their posterity forever." The preamble to the act declares that "the Cusaboe Indians, of Granville county, are the native and ancient inhabitants of the sea-coasts of this province, and kindly entertained the first English who arrived in the same, and are useful to the government for watching and discovering enemies and finding shipwrecked people." [Statutes of South Carolina, ii. 599.]

SECTION 223.

Indians, etc., Shall not Own Lands—New Jersey, 1713.

An act of the General Assembly of New Jersey, passed in 1713, declares that "No negro, Indian or mulatto that shall hereafter be made free, shall enjoy, hold or possess any house or houses, lands, tenements or hereditaments, within this province, in his or her own right, in fee simple or fee tail, but the same shall escheat to her majesty, her heirs and successors." [Nevill's Code of New Jersey, i. 23.]

SECTION 224.

Indians—Carolina, 1715.

An act for restraining the Indians from molesting or injuring the inhabitants of this government, and for securing to the Indians the right and property of their own lands.

Whereas, before the late war, daily and grievous complaints of the depredations and insults of the Indians were exhibited against them by divers persons bordering upon and residing near to the habitations of the said Indians; for the prevention of the like disorders for the time to come, and for the cultivating a better understanding with the said Indians, the want of which has been injurious to the government;

II. Be it enacted by his excellency the palatine, and the rest of the true and absolute lords proprietors of the province of Carolina, by and with the advice and consent of the rest of the members of the General Assembly, now met at Little River, for the northeast part of the said province, and it is hereby enacted, by the authority of the same, that whoever shall discover or find any Indian or Indians killing, hunting or in pursuit of any horses, cattle or hogs, the right and property whereof is in any white man, inhabiting within this government, every such person or persons, on discovery or sight thereof, may, and he is hereby empowered, to apprehend and seize every such Indian or Indians, and him or them so apprehended and taken, to convey before some one of the commissioners to be appointed for Indian affairs, and for want of such, before the next magistrate, which said commissioner or magistrate, together with the ruler or head man of the town to which such delinquent may belong, is and are hereby empowered to punish every such delinquent in such manner as the nature of the offense may require, and to award restitution to the party injured for all damages by him sustained; saving always the right of appeal to the governor and council, if either party shall think themselves aggrieved or wronged thereby.

III. And be it further enacted by the authority aforesaid, that if any difference shall, for the future arise between any white man and Indian, concerning trade or otherwise howsoever, every such difference shall be heard, tried and determined by such commis-

sioners as the governor or commander-in-chief for the time being shall appoint, together with the ruler or head man of the town to which the Indian belongs; saving only the right of appeal, as is herein before saved and excepted.

IV. And whereas, there is great reason to believe that disputes concerning land has already been of fatal consequence to the peace and welfare of this colony, be it further enacted by the authority aforesaid, that no white man shall, for any consideration whatsoever, purchase or buy any tract or parcel of land claimed or actually in possession of any Indian, without special liberty for so doing from the governor and council first had and obtained, under the penalty of twenty pounds for every hundred acres of lands so bargained for and purchased, one-half to the informer and the other half to him or them that shall sue for the same, to be recovered by bill, plaint or information in any court of record within this government, wherein no essoin, protection, injunction or wager of law shall be allowed or admitted of.

V. And be it further enacted by the authority aforesaid, that whatever white man shall defraud or take from any of the Indians his goods, or shall beat, abuse or injure his person, each and every person so offending shall make full satisfaction to the party injured, and shall suffer such other punishment as he should or ought to have done had the offense been committed to an Englishman. [Martin's Laws of North Carolina, i. 23.]

SECTION 225.

Indians—Cherokees—Carolina, 1718.

The preamble to "An act to empower the honorable the governor, to raise forces to be sent to the assistance of the Charokees against their enemies," etc., declares that "the safety of this province does, under God, depend on the friendship of the Charokees to this government, which is in daily danger of being lost to us by the war now carried on against them by divers nations of Indians, supported by the French, with a design to reduce them to the obedience and dependence of that enterprising nation." [Statutes of South Carolina, iii. 39.]

SECTION 226.

Indians—South Carolina, 1721.

“All and every justice of the peace in this province, upon due complaint made to them by any of the inhabitants of the same, shall have power, and they are hereby empowered, to order corporal punishment to be inflicted by a constable upon any Indian or Indians that shall be proved to have done manifest injury to such inhabitants, in case the said Indian shall refuse or neglect to make such satisfaction to the inhabitant or inhabitants as the said justice or justices shall award or direct.” [Statutes of South Carolina, iii. 144.]

SECTION 227.

Prohibiting Trade with Indians—New Hampshire, 1721.

“Whereas, the eastern Indians have broke and violated all treaties of peace and friendship made with them, and insulted the eastern settlements, be it therefore enacted,” etc., “that whoever shall [after] the twentieth day of this instant, October, directly or indirectly have any trade or commerce by way of gift, barter, or exchange, or any other way whatsoever, with any of the aforesaid eastern Indians, or shall supply them with any provision, clothing guns, powder, shot, bullets, or any other goods, wares, or merchandise whatsoever, shall forfeit and pay the sum of five hundred pounds, and suffer twelve months imprisonment without bail or mainprise, upon the first conviction.” * * * “If any person convict of trading with any of the aforesaid Indians, shall be so hardy as to carry on a trade or commerce with these Indians, in a manner as aforesaid, [he] shall, upon a second conviction, be deemed a felon, and suffer the pains of death.” [Laws of New Hampshire, p. 164.]

SECTION 228.

Penalty for Passing Certain Limits—Virginia, 1722.

Be it enacted by the lieutenant-governor, council and burgesses

of this present General Assembly, and it is hereby enacted, by the authority of the same, that from and after the ratification of the present intended treaty at Albany, it shall not be lawful for any Indian or Indians tributary to this government to cross the Potowmack river, nor pass the great ridge of mountains lying westward of the inhabited parts of this colony, without a license or passport first had and obtained from the governor or commander-in-chief of this dominion, for the time being, under the seal of the colony, containing the number of Indians so licensed, and the occasion for which the same shall be granted; and if any Indian or Indians tributary to this government shall, after the time aforesaid, presume to pass to the northward of Potowmack river, or to the westward of the great ridge of mountains, or shall go in greater numbers than are particularly mentioned in such license, every Indian and Indians so offending, and being thereof convicted, shall suffer death or be transported to the West Indies, there to be sold as slaves, as shall be awarded by the court hereby appointed for trial of the said offenses; and if any such tributary Indian departing out of the limits aforesaid, without such pass as is aforementioned, shall there happen to be killed, either by foreign Indians or by any of his majesty's subjects inhabiting the parts or places beyond the said limits, or shall be, by either of them, taken up and transported or sold, no reparation or satisfaction shall be demanded by this government for such killing or transportation.

And be it further enacted by the authority aforesaid, that none of the Indians of the five nations shall, from and after the ratification of the present intended treaty at Albany, be permitted to hunt or travel in or through any part of this dominion lying on the south side of Potowmack river, or on the east side of the said great ridge of mountains, without the license or passport of the governor or commander-in-chief of the province of New York, for the time being; and if any of the said Indians of the five nations shall, from and after the time aforesaid, be found traveling, hunting or ranging within the limits herein before-mentioned, without such license or pass, every Indian or Indians so offending shall incur the like penalties as are herein before-inflicted on the tributary Indians. [Hening's Statutes, iv. 104, 105.]

SECTION 229.

Indians—Connecticut, 1750.

“Whereas, the bringing the Indians in this land to the knowledge and obedience of the only true God and Savior of mankind, and the Christian faith, as well as to a civil and peaceable behavior, was one great end professed by the first settlers of this colony in obtaining the royal charter; which profession this court being always desirous in the best manner to pursue, therefore, be it enacted,” etc., “that the authority and selectmen of each town wherein there are any Indians living or residing, shall take care, and they are hereby directed to endeavor to assemble and convene such Indians annually, and acquaint them with the laws of government made for punishing such immoralities as they may be guilty of, and make them sensible that they are not exempted from the penalties of such laws any more than his majesty’s other subjects in the colony are.”

* * * “Every Indian convicted of drunkenness in this colony shall forfeit and pay the sum of five shillings, or else be openly whipped on the naked body, not exceeding ten stripes for one offense, as the assistant or justice before whom such conviction is shall in his discretion determine; and if any Indian or Indians shall labor or play on the Sabbath or Lord’s Day, within the limits of any town in this colony, and be thereof duly convicted, every such Indian shall forfeit the sum of three shillings, or else sit in the stocks one hour, at the discretion of the authority before whom the conviction is made.” [Acts and Laws of Connecticut (1750), p. 96.]

SECTION 230.

Imported Indians Forfeited to the Treasury—Connecticut, 1750.

“Be it further enacted by the authority aforesaid, that all Indians, male or female, of what age soever, imported or brought into this colony by sea or land, from any place whatever, to be disposed of, left, or sold, within this colony, shall be forfeited to the treasury of this colony, and may be seized and taken accordingly; unless the person or persons importing or bringing in such Indian or Indians shall give security to some naval officer in this colony of fifty pounds

per head, to transport or carry out of the same again, within the space of one month next after their coming, not to be returned back to this colony." [Acts and Laws of Connecticut, p. 230.]

SECTION 231.

An Act for Preventing and Repelling the Hostile Incursions of the Indians at Enmity with the Inhabitants of this Colony—Virginia, 1755.

Whereas, divers cruel and barbarous murders have been lately committed in the upper parts of this colony, by Indians supposed to be in the interest of the French, without any provocation from us, and contrary to the laws of nature and nations, and they still continue in skulking parties to perpetrate their barbarous and savage cruelties, in the most base and treacherous manner, surprising, torturing, killing and scalping, not only our men, who live dispersedly in the frontiers, but also their helpless wives and children, sparing neither age nor sex; for prevention of which shocking inhumanities, and for repelling such malicious and detestable enemies, be it enacted by the lieutenant-governor, council and burgesses of this present General Assembly, and it is hereby enacted by the authority of the same, that the sum of ten pounds shall be paid by the treasurer of this colony, out of the public money in his hands, to any person or persons, party or parties, either in the pay of this colony, or other the inhabitants thereof, for every male Indian enemy, above the age of twelve years, by him or them taken prisoner, killed or destroyed, within the limits of this colony, at any time within the space of two years after the end of this session of Assembly.

This act further provides that "the scalp of every Indian, so to be killed or destroyed, as aforesaid, shall be produced to the governor or commander-in-chief." [Hening's Statutes, vi. 550, 551.]

SECTION 232.

Regulating the Indians—Massachusetts, 1758.

"Be it enacted by the governor, council and house of repre-

sentatives, that there be three proper persons appointed for the future by this court, near to every Indian plantation in this province, guardians to the said Indians in their respective plantations, who are hereby empowered, from and after the twenty-third day of June, A. D. 1758, to take into their hands the said Indian lands, and allot to the several Indians of the several plantations such parts of the said lands and meadows as shall be sufficient for their particular improvement from time to time during the continuance of this act; and the remainder, if any there be, shall be let out by the guardians of the said respective plantations to suitable persons, for a term not exceeding the continuance of the act; and such part of the income thereof as is necessary shall be applied for the support of such of the proprietors, in their respective plantations, as may be sick or unable to support themselves; and the surplusage thereof, if any there be, shall be distributed amongst them according to their respective rights or interest, for providing necessaries for themselves and families and for the payment of their just debts, at the discretion of their said guardians, and that the respective guardians aforesaid be hereby empowered and enabled, in their own names and in their capacities as guardians, to bring forward and maintain any action or actions for any trespass or trespasses that may be committed on the said Indian land, and that any liberty obtained from any Indian or Indians for cutting off any timber, wood or hay, milking pine trees, carrying off any ore or grain, or planting or improving said lands, shall not be any bar to said guardians in their said action or actions: provided, that nothing in this act shall be understood to bar any person or persons from letting creatures run upon the said Indians' unimproved lands that lie common and contiguous to other towns and proprietors." [Temporary Laws of Massachusetts (ed. of 1763), p. 112, 113.]

SECTION 233.

Dogs for Hunting Indians—New Jersey, 1758.

A New Jersey law, enacted in 1758, contains the following paragraph:

"And whereas, the Indian enemy are a very private and secret

enemy, and it has been thought dogs would be a great service, not only in discovering them in their secret retreats among the swamps, rocks and mountains, frequent in those parts, but also in assisting the troops in pursuing and attacking them; therefore, be it enacted by the authority aforesaid, that it shall and may be lawful for the paymaster aforesaid to procure, upon the best terms he can, fifty good, large, strong and fierce dogs, and the same, so procured, to supply with food necessary for their subsistence, equal to ten men's allowance in quality [quantity]; which said dogs shall be disciplined for and employed in the service in such manner as the said major, in conjunction with the commission officers, or the major part of them, shall think proper." [Nevill's Code of New Jersey, ii. 202.]

SECTION 234.

Pay for Scalps—South Carolina, 1760.

By an act of the 31st of July, 1760, South Carolina appropriated the sum of three thousand five hundred pounds "to pay for the scalps of Cherokee Indians." [Statutes of South Carolina, iv. 128.]

SECTION 235.

Indians Taken in War to be Sold as Slaves—Pay for Indian Scalps—North Carolina, 1760.

And for the greater encouragement of persons as shall enlist voluntarily to serve in the said companies, and other inhabitants of this province who shall undertake any expedition against the Cherokees and other Indians in alliance with the French, be it further enacted by the authority aforesaid, that each of the said Indians who shall be taken a captive, during the present war, by any person as aforesaid, shall and is hereby declared to be a slave, and the absolute right and property of who shall be the captor of such Indian, and shall and may be possessed, pass, go and remain to such captor, his executors, administrators and assigns, as a chattel personal; and if any person or persons, inhabitant or inhabit-

ants of this province, not in actual pay, shall kill an enemy Indian or Indians, he or they shall have and receive ten pounds for each and every Indian he or they shall so kill; and any person or persons who shall be in the actual pay of this province shall have and receive five pounds for every enemy Indian or Indians he or they shall so kill, to be paid out of the treasury, any law, usage or custom to the contrary notwithstanding.

Provided, always, that any person claiming the said reward, before he be allowed or paid the same, shall produce to the Assembly the scalp of every Indian so killed, and make oath or otherwise prove that he was the person who killed, or was present at the killing the Indian whose scalp shall be so produced, and that he hath not before had or received any allowance from the public for the same; and as a further encouragement, shall also have and keep to his or their own use or uses all plunder taken out of the possession of any enemy Indian or Indians, or within twenty miles of any of the Cherokee towns, or any Indian town at war with any of his majesty's subjects. [Martin's Laws of North Carolina, i. 135.]

SECTION 236.

Murder of Free Indians—Georgia, 1774.

“Whereas, it has been represented that some Indians, in amity with this province, have been barbarously murdered, to the great scandal of society and the danger of involving this province in a bloody and expensive war, and there is reason to believe that several ill-disposed persons have not considered such inhuman actions in a proper light, but being influenced by the ill-grounded prejudices which ignorant minds are apt to conceive against persons differing in color from themselves, and unaware of the consequences, have rather looked on those murders as meritorious; to discourage, therefore, as much as may be, such unchristianlike and cruel practices, and to explain and set forth the great danger thereof, it is declared, that to murder any free Indian, in amity with this province, is, by the law of the land, as penal, to all intents and purposes whatsoever, as to murder any white person.” [Marbury & Crawford's Digest, p. 258.]

SECTION 237.

Reward for Scalps—Pennsylvania, 1764.

The governor of Pennsylvania, by a proclamation of July 7, 1764, offered bounties for the scalps or capture of hostile Indians. The bounties were :

For every male above ten years, captured,	\$150.00
For every male above ten years, scalped, being killed,	134.00
For every female or male under ten years, captured,	130.00
For every female above ten years, scalped, being killed,	50.00

[Gordon's History of Pennsylvania, 438.]

 SECTION 238.

South Carolina, 1731.

No Indian to be trusted by Indian traders for more than one pound of powder and four pounds of bullets. [Statutes of South Carolina, iii. 330.]

 SECTION 239.

Indians and Rum—Pennsylvania, 1731.

From the minutes of the provincial council of Pennsylvania :

At a council held at Philadelphia on the 13th of August, 1731, Sassoonan, king of the Delawares, "desired to add something to what he had said yesterday concerning rum and the carrying it into the woods, viz: The governor knows there are ill people amongst the Christians as well as amongst them [the Indians] and what mischief is done he believes is mostly owing to rum, and it should be prevented.

"He desired that no Christian should carry any rum to Shamo-kin, where he lives, to sell. When they want it they will send for it themselves; they would not be wholly deprived of it, but they would not have it brought by the Christians.

"He desires four men may be allowed to carry some rum to Allegheny, to refresh the Indians when they return from hunting,

and that none else be admitted to carry any. They also desire that some rum may be lodged at Tulpyhockin and Pextan, to be sold to them, that their women may not have too long a way to fetch it." [Minutes of Provincial Council of Pennsylvania, vol. iii. p. 432.]

PART VII.

COLONIAL LAWS RELATING TO SLAVERY AND OTHER FORMS OF SERVITUDE.

SECTION 240.

Slavery.

History does not contain any definite account of the origin of slavery. It was, however, permitted or encouraged in the several ancient governments of Europe, Asia and Africa, especially among Jews, Phœnicians, Egyptians, Greeks and Romans. According to the old imperial or civil law of the Roman Empire, slaves could acquire no property for themselves. They were not entitled to the right of marriage. They could be sold, transferred or pawned as goods or personal estate, and might be tortured to obtain evidence, or killed by their masters upon great provocation. [Wood's Institutes, book i. c. 2; Cooper's Justinian, 410.]

The price of an ordinary slave at Rome, in Cato Major's time (B. C. 200) was equal to about forty-eight pounds eight shillings and nine pence. [Priestley's Lectures, p. 112.]

Among the Romans slaves were sometimes chained to the gates of great men's houses as porters. [Cooper's Justinian, p. 411.]

Notwithstanding the wretched condition to which slaves were reduced under the civil law, it declared that, by the law of nature, all men were originally born free—"Jure enim naturali, omnes homines ab initio liberi nascebantur." [Justinian's Institutes, lib. i. tit. 2.] (?)

SECTION 241.

It is said that Zoroaster, an early Persian reformer, decreed that an annual festival should be celebrated to commemorate the primitive equality of all men.

SECTION 242.

Philo, the Jew, who wrote on various subjects about the commencement of the Christian era, says: "The Therapeutæ (a Jewish sect in Egypt) do not use the ministrations of slaves, looking upon the possession of servants or slaves to be a thing absolutely and wholly contrary to nature, for nature has created all men free." [Philo Judæus, iv. p. 16.]

SECTION 243.

In England and in some of the other countries of Europe, after the introduction of the feudal system a very large number of persons who lived in a condition of servitude were called villeins, from the Latin word *villa* (a country farm), where such bondmen, generally, were required to do service. A statute of Alfred the Great strictly prohibited the purchase of "a man, a horse, or an ox, without a voucher to warrant the sale." [Encyclopedia Britannica, xx. p. 320.]

In the 11th century, according to some authorities, the pope issued a bull for the emancipation of slaves. [Young's Labor in Europe and America, p. 72.]

SECTION 244.

Sir Walter Raleigh says: "It followeth to be proved that there were villeins in England before the conquest. I remember not in Beda the word written, his Latin being purer; he called them *servi*, but that they were villeins is evident, in that he writes, King Ed-elwack, in the West Saxons, chose Wilfride a bishop, and gave him forty-seven families, * * * whom Bishop Wilfride christened

and manumitted.” * * * “In another place Beda showeth, Oswald, king of the Northumbers, got out of Scotland Aidan for his bishop, who all the money he could get he would give to the poor, or for the redemption of them that were unjustly sold, and these sometimes he would make priests.” [Raleigh’s works, vol. viii. p. 599.]

SECTION 245.

In Erskine’s Institutes of the Laws of Scotland (vol. i. p. 155), the following statements appear :

“By the Roman law, servants, or *servi*, were the property of their masters, and might be bought and sold as their goods, so that they were considered as subjects of commerce rather than as persons, and whatever they acquired, either by testament or their own industry, accrued to their masters. The Romans also had a ‘kind of slaves called *adscripti*,’ * * * who were bound to perpetual slavery in cultivating a particular field or farm, and who were rather slaves to that farm than to the owner of it, so that he could not transfer his right to them without alienating the farm to which they were astricted. * * * Much like these were our ancient *nativi* or bondmen, who could not indeed be sold by their masters, but in most other respects resembled the Roman *servi*, for they had nothing which they could call their own ; * * * yet they prescribed an immunity from their servitude by residing for a year together in any royal borough without challenge from their masters.”

SECTION 246.

In 1172, at an assembly, chiefly of the clergy, held at Armagh, in Ireland, at a time of public calamities, it was agreed “on this account these evils were visited on Ireland, because they [the Irish people] had, against the law of Christian liberty, formerly bought as slaves the sons of English who had been brought to them by merchants, for formerly the poor English, to supply their necessities, were wont to sell even their own children instead of bringing them up ; wherefore, by unanimous consent, English

slaves throughout all Ireland were allowed to depart without hindrance." [Southey's Common Place Book, i. 322.]

SECTION 247.

In the canons of a council held at London, A. D. 1102, it is declared: "Let no one from henceforth presume to carry on that wicked traffic by which men in England have hitherto been sold like brute animals." [Wilkins' Concilia, i. 383; Standard Library Cyclopedica, iv. 719.]

SECTION 248.

In the year 1514, Henry VIII. manumitted two of his villeins, in the following form:

"Whereas, God created all men free, but afterwards the laws and customs of nations subjected some under the yoke of servitude, we think it pious and meritorious with God to manumit Henry Knight, a tailor, and John Hule, a husbandman, our natives, being born within the manor of Stoko (?), Clymmysland, in our county of Cornwall," etc. [Cooper's Justinian, 414.]

A bill for the general manumission of bondsmen was rejected by the house of lords in 1526. [Wade's British History, p. 117.]

SECTION 249.

An extract from an ordinance that was issued in 1315 by Louis X., king of France, makes the following declarations:

"As, according to the laws of nature, each [person] must be born free, and that by some usages or customs, which of great antiquity have been introduced and hitherto preserved in our kingdom, and, peradventure for the fault of their predecessors, many of our common people have fallen into servitude and divers conditions which very much displease us; we, considering that our kingdom is called and named the kingdom of Franks (free men),

and wishing that the thing should truly be accordant with the name, and that the condition of the people should improve on the advent of our new government, upon deliberation with our great council, have ordered and do order that, generally throughout our kingdom, so far as may belong to us and our successors, such servitudes be brought back to freedom; and that to all those who, from origin or antiquity, or recently from marriage, or from residence in places of servile condition, are fallen or may fall into bonds of servitude, freedom be given upon good and fitting conditions." [Ordonnances des Rois, etc. tom. i. p. 588; Guizot's History of Civilization, iv. 59.]

SECTION 250.

At London, in 1584, a work was published under the title of "De Republica Anglorum: The Manner of Government or Policy of the Realm of England, compiled by the Hon. Sir Thomas Smyth, knight, doctor of both the laws, and one of the principal secretaries unto the two most worthy princes, King Edward VI. and Queen Elizabeth."

Referring to the emancipation of serfs and villeins, the author of this work (pp. 108, 109) says:

"Howbeit sith our realm hath received the Christian religion, which maketh us all in Christ brethren, and in respect of God and Christ conservos, men began to have conscience to hold in captivity and such extreme bondage him whom they must acknowledge to be his brother, and as we used to term him Christian, that is, who looketh in Christ and by Christ to have equal portion with them in the gospel and salvation. Upon this scruple, in continuance of time, and by long succession, the holy fathers, monks and friars, in their confession, and specially in their extreme and deadly sickness, burdened the consciences of them whom they had under their hands, so that temporal men, by little and little, by reason of that terror in their conscience, were glad to manumit all their villeins; but the said holy fathers, with the abbots and priors, did not like sort by theirs, for they had also conscience to impoverish and despoil the churches so much as to manumit such as were bond to their churches or to the manors which the church

had gotten, and so kept theirs still. The same did the bishops also, till at the last, and now of late some bishops, to make a piece of money, manumitted theirs, partly for argant, partly for slanders that they seemed more cruel than the temporality ; after the monasteries coming into temporal men's hands have been occasion that now they be almost all manumitted."

SECTION 251.

Dominic Soto, a Dominican confessor of Charles V., Emperor of Germany, wrote a memorable treatise on justice and law, in which he condemned the African slave trade. He said:

"It is affirmed that the unhappy Ethiopians are by fraud or force carried away and sold as slaves. If this is true, neither those who have taken them, nor those who purchased them, nor those who hold them in bondage, can ever have a quiet conscience till they emancipate them, even if no compensation should be obtained." [Encyclopedia Britannica, i. 330.]

SECTION 252.

White Servants—Massachusetts, 1630.

"It is ordered by this court and the authority thereof, that no servant, either man or maid, shall either give, sell, or truck any commodity whatsoever, without license from their master, during the time of their service, under pain of fine or corporal punishment, at the discretion of the court, as the offense shall deserve.

"And that all workmen shall work the whole day, allowing convenient time for food and rest.

"It is ordered and by this court declared, that if any servant shall flee from the tyranny and cruelty of his or her master to the house of any freeman of the same town, they shall be there protected and sustained till due order be taken for their relief: provided due notice thereof be speedily given to their master from whom they fled, and to the next magistrate or constable where the party so fled is harbored.

“And all servants that have served diligently and faithfully to the benefit of their masters, seven years, shall not be sent away empty; and if any have been unfaithful, negligent, or unprofitable in their service, notwithstanding the good usage of their masters, they shall not be dismissed till they have made satisfaction according to the judgment of authority.” [Laws of Massachusetts, (ed. 1672) pp. 104, 105,]

SECTION 253.

Servants—Virginia, 1643.

Whereas, divers controversies have risen between masters and servants being brought into the colony without indentures or covenants to testify their agreements, whereby both masters and servants have been often prejudiced, be it therefore enacted and confirmed for prevention of future controversies of the like manner, that such servants as shall be imported, having no indentures or covenants, either men or women, if they be above twenty years old, to serve four years, if they shall be above twelve and under twenty, to serve five years, and if under twelve to serve seven years. [Hening's Statutes, i. 257.]

SECTION 254.

Secret Marriage of Servants Forbidden—Virginia, 1643.

Whereas, many great abuses and much detriment have been found to arise both against the law of God and likewise to the service of many masters of families in the colony, occasioned through secret marriages of servants, their masters and mistresses being not made privy thereto, be it enacted and confirmed by this Grand Assembly, that what man servant soever hath, since January, 1640, or hereafter shall secretly marry with any maid or woman servant without the consent of her master or mistress if she be a widow, he or they so offending shall, in the first place, serve out his or their time or times with his or their masters or mistresses, and after shall serve his or their master or mistress one complete year

more for such offense committed, and the maid or woman so marrying without consent, as aforesaid, shall, for such her offense, double the time of service with her master or mistress, and a free-man so offending shall give satisfaction to the master or mistress by doubling the value of the service and pay a fine of five hundred pounds of tobacco to the parish where such offense shall be committed. [Hening's Statutes, i. 253.⁷

SECTION 255.

Punishment of Runaway Servants—Virginia, 1643.

Whereas, there are divers loitering runaways in the colony who very often absent themselves from their masters' service, and sometimes in two or three months can not be found, whereby their masters are at great charge in finding them, and many times even to the loss of their year's labor before they be had, be it therefore enacted and confirmed, that all runaways that shall absent themselves from their said masters' service shall be liable to make satisfaction by service at the end of their time by indenture (viz.) double the time of service so neglected, and in some cases more, if the commissioners for the place find it requisite and convenient; and if such runaways shall be found to transgress the second time, or oftener (if it shall be duly proved against them), that then they shall be branded in the cheek with the letter R, and pass under the statute of incorrigible rogues: provided, notwithstanding, that where any servants shall have just cause of complaint against their masters or mistresses by harsh or unchristianlike usage or otherways, for want of diet or convenient necessaries, that then it shall be lawful for any such servants to repair to the next commissioner to make his or their complaint. [Hening's Statutes, i. 254, 255.]

SECTION 256.

How to Know a Runaway Servant—Virginia, 1659.

Whereas, the act for runaway servants appoint only the punishment of the said servants and the penalty of entertaining them,

but provides no way for the discovery of them, it is enacted and ordained that the master of every such runaway shall cut or cause to be cut the hair of all such runaways close above their ears, whereby they may be with more ease discovered and apprehended. [Hening's Statutes, i. 517.]

SECTION 257.

Christian Slaves—Carolina, 1669.

“Since charity obliges us to wish well to the souls of all men, and religion ought to alter nothing in any man’s civil estate or right, it shall be lawful for slaves, as well as others, to enter themselves and be of what church or profession any of them shall think best, and thereof be as fully members as any freeman. But yet no slave shall hereby be exempted from that civil dominion his master hath over him, but be in all things in the same estate and condition he was in before.” [Locke’s Constitution; Statutes of South Carolina, i. p. 55.]

SECTION 258.

Servants and Slaves—What Time Indians to Serve—Virginia, 1670.

Whereas, some dispute have arisen whether Indians taken in war by any other nation, and by that nation that taketh them sold to the English, are servants for life or term of years, it is resolved and enacted, that all servants, not being Christians imported into this colony by shipping, shall be slaves for their lives; but what shall come by land shall serve, if boys or girls, until thirty years of age; if men or women, twelve years, and no longer. [Hening’s Statutes, ii. 283.]

SECTION 259.

Slaves—Virginia, 1669.

. An act about the casual killing of slaves.

Whereas, the only law in force for the punishment of refractory servants resisting their master, mistress or overseer can not

be inflicted upon negroes, nor the obstinacy of many of them by other than violent means suppressed, be it enacted and declared by this Grand Assembly, if any slave resist his master (or other by his master's order correcting him) and by the extremity of the correction should chance to die, that his death shall not be accounted felony, but the master (or that other person appointed by the master to punish him) be acquit from molestation, since it can not be presumed that prepensed malice (which alone makes murder felony) should induce any man to destroy his own estate. [Hening's Statutes, ii. 270.]

SECTION 260.

Indians Taken in War to be Slaves—Virginia, 1676.

It is ordered, that all such soldiers who either already have taken or hereafter shall take prisoners any of our Indian enemies, or any other Indian plunder, and at the time of taking such Indians or Indian goods, then were or shall hereafter be under a lawful command from due and full authority, that they retain and keep all such Indian slaves* or other Indian goods as they either have taken or hereafter shall take to their own proper use for their better encouragement to such service. [Hening's Statutes, ii. 404.]

SECTION 261.

Slaves—Virginia, 1680.

An act for preventing negro insurrections.

Whereas, the frequent meeting of considerable numbers of negro slaves, under pretense of feasts and burials, is judged of

* It appears from the above resolution of the Assembly, that the practice of making slaves of Indian prisoners was sanctioned by the government at an earlier period than that which has generally been assigned for it. The first law on the subject, passed in June, 1676, during the time of Bacon, then followed the above resolution, in February, 1676-7; and lastly, the act of April, 1679, which is almost a literal transcript of Bacon's law. The first appearance of this law, in print, being in Purvis, p. 235, act 1, of April, 1679, that period has been fixed on as the commencement of the law, though in truth the practice had existed much earlier. [Ib. ii. 204.]

dangerous consequence; for prevention whereof for the future, be it enacted by the king's most excellent majesty, by and with the consent of the General Assembly, and it is hereby enacted by the authority aforesaid, that from and after the publication of this law, it shall not be lawful for any negro or other slave to carry or arm himself with any club, staff, gun, sword, or any other weapon of defense or offense, nor to go or depart from off his master's ground without a certificate from his master, mistress or overseer, and such permission not to be granted but upon particular and necessary occasions; and every negro or slave so offending not having a certificate as aforesaid, shall be sent to the next constable, who is hereby enjoined and required to give the said negro twenty lashes on his bare back, well laid on, and so sent home to his said master, mistress or overseer. And it is further enacted by the authority aforesaid, that if any negro or other slave shall presume to lift up his hand in opposition against any Christian, shall, for every such offense, upon due proof made thereof by the oath of the party before a magistrate, have and receive thirty lashes on his bare back, well laid on. And it is hereby further enacted by the authority aforesaid, that if any negro or other slave shall absent himself from his master's service and lie hid and lurking in obscure places, committing injuries to the inhabitants, and shall resist any person or persons that shall, by any lawful authority, be employed to apprehend and take the said negro, that then in case of such resistance, it shall be lawful for such person or persons to kill the said negro or slave so lying out and resisting, and that this law be once every six months published at the respective county courts and parish churches within this colony. [Hening's Statutes, ii. 481, 482.]

SECTION 262.

Slaves—Virginia, 1682.

An act to repeal a former law making Indians and others free:

Whereas, by the 12th act of Assembly held at James City, the 3d day of October, Anno Domini 1670, entitled an act declaring who shall be slaves, it is enacted, that all servants not being Christians, being imported into this country by shipping, shall be slaves,

but what shall come by land shall serve, if boys and girls, until thirty years of age; if men or women, twelve years and no longer; and forasmuch as many negroes, Moors, mulattoes, and others born of and in heathenish, idolatrous, pagan and Mohammedan parentage and country have heretofore and hereafter may be purchased, procured, or otherwise obtained as slaves of, from, or out of such their heathenish country by some well disposed Christian, who, after such their obtaining and purchasing such negro, Moor, or mulatto as their slave out of a pious zeal, have wrought the conversion of such slave to the Christian faith, which by the laws of this country doth not manumit them or make them free, and afterwards such their conversion it hath and may often happen that such master or owners of such slave being by some reason enforced to bring or send such slave into this country to sell or dispose of for his necessity or advantage, he the said master or owner of such servant which, notwithstanding his conversion, is really his slave, or his factor or agent must be constrained either to carry back or export again the said slave to some other place where they may sell him for a slave, or else depart from their just right and title to such slave and sell him here for no longer time than the English or other Christians are to serve, to the great loss and damage of such master or owner, and to the great discouragement of bringing in such slaves for the future, and to no advantage at all to the planter or buyer; and whereas, also, those Indians that are taken in war or otherwise by our neighboring Indians, confederates or tributaries to his majesty and this his plantation of Virginia, are slaves to the said neighboring Indians that so take them, and by them are likewise sold to his majesty's subjects here as slaves; be it therefore enacted, by the governor, council and burgesses of this Grand Assembly, and it is enacted by the authority aforesaid, that all the said recited act of the third of October, 1670, be and is hereby repealed and made utterly void to all intents and purposes whatsoever; and be it further enacted, by the authority aforesaid, that all servants, except Turks and Moors, whilst in amity with his majesty, which from and after publication of this act shall be brought or imported into this country, either by sea or land, whether negroes, Moors, mulattoes or Indians, who and whose parentage and native country are not Christian at the time of their first purchase of such servant by some

Christian, although afterwards, and before such their importation and bringing into this country, they shall be converted to the Christian faith; and all Indians which shall hereafter be sold by our neighboring Indians, or any other trafficking with us as for slaves, are hereby adjudged, deemed and taken, and shall be adjudged, deemed and taken to be slaves to all intents and purposes, any law, usage or custom to the contrary notwithstanding. [Henning's Statutes, ii. 490, 491.]

SECTION 263.

Slaves—Negro and Indian—New Jersey, 1682.

“And be it enacted, by the authority aforesaid, that all and every person within this province, in case any negro or Indian slave or servant shall tender, bring or offer to sell, barter or trade with or any matter or for thing to any person without permission or license of his master or mistress, such negro slave or servant shall and may be taken up and be whipped by the person or persons to whom he shall tender such sale, and such person whipping such negro or Indian slave or servant shall have the reward of half a crown paid him by the master or mistress of such negro or Indian slave or servant.” [Laws of New Jersey.]

SECTION 264.

White Servants—Carolina, 1687.

“All and every such servant or servants arriving without indentures or contracts, as aforesaid, and serving according to the limitation of this act, shall and may have and receive from the master or masters of such servant or servants, at and upon the expiration of their term of service, limited as aforesaid, one suit of apparel, one barrel of Indian corn, one ax and one hoe.” [Act passed at Charleston April 9, 1687; Statutes of South Carolina, ii. 30.]

SECTION 265.

Act for the Better Ordering of Slaves—Carolina, 1690.

“Be it enacted by his excellency, William, Earl of Craven, palatine, and the rest of the true and absolute lords and proprietors of this province, by and with the advice and consent of the commons in this present parliament assembled, and it is hereby enacted, by the authority of the same, that no person whatsoever shall send or give leave to any negro or Indian slave under his or their care, charge or ownership, to go out of their plantations, unless such as usually wait on their persons, without a ticket, or one [or] more white men in their company, in which ticket shall be expressed their names and numbers, and also from and to what place they are intended for, and time, on penalty of forty shillings and paying for taking up such slave as a runaway; and whosoever shall not endeavor to apprehend any negro or Indian slave, coming into their plantations aforesaid, or where they have care or charge (except such as have tickets before excepted as aforesaid), and apprehending any, shall not punish them by moderate whipping, shall forfeit forty shillings; and if any negro or Indian slave shall offer any violence, by striking or the like, to any white person, he shall, for the first offense, be severely whipped by the constable by order of any justice of the peace; and for the second offense, by like order, shall be severely whipped, his or her nose slit and face burnt in some place; and for the third offense to be left to two justices and three sufficient freeholders to inflict death, or any other punishment, according to their discretion: provided such striking or conflict be not by command of, or in lawful defense of, their owners’ persons.” [Statutes of South Carolina, vii. 343.]

SECTION 266.

Slaves shall not be Encouraged to Work on the Sabbath—Carolina, 1691.

In 1691 it was enacted “that any master, mistress or overseer who shall cause or encourage any slave or slaves to work on the Sabbath day, shall forfeit for every offense, for every slave, the sum of five shillings.” [Statutes of South Carolina, ii. 69.]

SECTION 267.

Punishment for Stealing or Removing Boats, etc.—Carolina, 1695.

“If any slave or Indian, at any time after the ratification of this act, shall take away or let loose any boat or canoe or steal any grappling, painter, rope, sail or oars from any landing or place whatsoever, where the owners or persons in whose service and employment they were last in had made fast or laid the same, shall, for the first offense he or they shall be convicted of, receive on his or their bare backs thirty-nine lashes; and for the second offense, shall forfeit and have cut off from his or their heads one ear.” [Statutes of South Carolina, ii. 105.]

SECTION 268.

An Act for the Encouragement of the Importation of White Servants—Carolina, 1698.

Whereas, the great number of negroes which of late have been imported into this colony may endanger the safety thereof, if speedy care be not taken and encouragement given for the importation of white servants;

I. Be it enacted by his excellency, John, Earl of Bath, palatine, and the rest of the true and absolute lords and proprietors of this province, by and with the advice and consent of the rest of the members of the General Assembly, now met at Charleston, for the southwest of this province, that every merchant, owner or master of any ship which shall bring any white male servants, Irish only excepted, into Ashley river, above sixteen years of age and under forty, and the same shall deliver to the receiver-general, shall receive and be paid by the said receiver, in dollars or pieces of eight, at five shillings the piece, the sum of thirteen pounds for every servant so delivered, and for every boy of twelve years and under sixteen, imported and delivered to the receiver as aforesaid, the sum of twelve pounds as aforesaid: provided, that every servant, as aforesaid, hath not less than four years to serve from and after the day of his arrival in Ashley river, and every boy aforesaid, not less than seven years. And if any person shall deliver

to the receiver aforesaid any servant or boy, as aforesaid, which hath less time to serve than the respective times before appointed, the receiver shall pay such person proportionably to the rates and times aforesaid, for so long time as such servant or boy hath to serve; and no person which shall deliver any servant or boy to the receiver, which hath longer time to serve than the respective times of four and seven years, aforesaid, shall remit any of the time the said servant or boy ought, bona fide, whether by custom or contract, to have served his said master; and every servant or boy so delivered to the receiver shall serve so long as he or they ought to have served their said master.

By other provisions of this act, the white servants who were purchased by the receiver were allotted one to each planter who was the owner of "six men negro slaves above sixteen years old," two to each owner of a plantation, and "twelve negro men as aforesaid," "and every master of every plantation proportionably," unless already supplied with such male servants, "contracted for four years, and not under." Each planter to whom such servants were allotted was required, within three months, to pay the receiver so much money for each servant "as the receiver gave to the person from whom he received such servant." [Statutes of South Carolina, ii. 153.]

SECTION 269.

White Servants—Pennsylvania, 1700.

"Be it enacted, that no servant, bound to serve his or her time in this province or counties annexed, shall be sold or disposed of to any person residing in any other province or government, without the consent of the said servant and two justices of the peace of the county wherein he lives or is sold, under the penalty of ten pounds to be forfeited by the settler." [Dallas' Laws of Pennsylvania, i. 13.]

"And be it enacted, that every servant that shall faithfully serve four years or more, shall, at the expiration of their servitude, have a discharge, and shall be duly clothed with two complete suits of apparel, whereof one shall be new, and shall also be

furnished with one new ax, one grubbing-hoe and one weeding-hoe at the charge of their master or mistress." [Ib. i. 14.]

"And for prevention of servants quitting their masters' service, be it enacted, that if any servant shall absent him or herself from the service of their master or owner for the space of one day or more, without leave first obtained for the same, every such servant shall, for every such day's absence, be obliged to serve five days after the expiration of his or her time, and shall further make such satisfaction to his or her master or owner for the damages and charges sustained by such absence as the respective county court shall see meet, who shall order as well the time to be served as other recompense for damages sustained." [Ib. i. 14.]

"And for the more effectual discouragement of servants embezzling their master's or owner's goods, be it enacted, that whosoever shall clandestinely deal or traffic with any servant, white or black, for any kind of goods or merchandise, without leave or order from his or her master or owner, plainly signified or appearing, shall forfeit treble the value of such goods to the owner; and the servant, if a white, shall make satisfaction to his or her master or owner by servitude after the expiration of his or her time to double the value of the said goods; and if the servant be a black, he or she shall be severely whipped in the most public place of the township where the offense was committed." [Ib. i. 15.]

SECTION 270.

An Act Relating to Mulatto and Negro Slaves—Massachusetts, 1703.

Whereas, great charge and inconvenience have arisen to divers towns and places by the releasing and setting at liberty mulatto and negro slaves, for the prevention whereof for the future, be it declared and enacted by his excellency, the governor, council and representatives in general court assembled, and by the authority of the same, that no mulatto or negro slave shall hereafter be manumitted, discharged or set free until sufficient security be given to the treasurer of the town or place where such person dwells, in a valuable sum, not less than fifty pounds, to secure and indemnify the town or place from all charges for or about such mulatto or

negro to be manumitted or set at liberty, in case he or she, by sickness, lameness, or otherwise be rendered incapable to support him or herself. And no mulatto or negro hereafter manumitted shall be deemed or accounted free for whom security shall not be given as aforesaid; but shall be the proper charge of their respective masters or mistresses, in case they stand in need of relief and support, notwithstanding any manumission or instrument of freedom to them made or given, and shall also be liable at all times to be put forth to service by the selectmen of the town." [Acts and Laws of Massachusetts.]

SECTION 271.

Sick or Lamé Servants—Virginia, 1705.

And if any servant shall happen to fall sick or lame, during the time of service, so that he or she becomes of little or no use to his or her master or owner, but rather a charge, the said master or owner shall not put away the said servant, but shall maintain him or her during the whole time he or she was before obliged to serve by indenture, custom or order of court. [Hening's Statutes, iii. 450.]

SECTION 272.

Servants' Freedom Dues—Virginia, 1705.

And whereas, there has been a good and laudable custom of allowing servants corn and clothes for their present support, upon their freedom, but nothing in that nature ever made certain, be it also enacted by the authority aforesaid, and it is hereby enacted, that there shall be paid and allowed to every imported servant, not having yearly wages, at the time of service ended, by the master or owner of such servant, viz: to every male servant, ten bushels of Indian corn, or thirty shillings in money, or the value thereof in goods, and one well fixed musket or fuzee, of the value of twenty shillings at least; and to every woman servant, fifteen bushels of Indian corn and forty shillings in money, or the value thereof in goods; which, upon refusal, shall be ordered, with costs,

upon petition to the county court, in manner as is herein before directed for servants' complaints to be heard. [Hening's Statutes, iii. 451.]

SECTION 273.

Punishment of Outlying Slaves—Virginia, 1705.

And whereas, many times, slaves run away and lie out, hid and lurking in swamps, woods and other obscure places, killing hogs and committing other injuries to the inhabitants of this, her majesty's colony and dominion; be it therefore enacted, by the authority aforesaid, and it is hereby enacted, that in all such cases, upon intelligence given of any slaves lying out, as aforesaid, any two justices (quorum unus) of the peace of the county wherein such slave is supposed to lurk or do mischief, shall be and are empowered and required to issue proclamation against all such slaves, reciting their names, and owners' names, if they are known, and thereby requiring them, and every one of them, forthwith to surrender themselves; and also empowering the sheriff of the said county to take such power with him as he shall think fit and necessary for the effectual apprehending such outlying slave or slaves, and go in search of them: which proclamation shall be published on a Sabbath day, at the door of every church and chapel in said county, by the parish clerk or reader of the church, immediately after divine worship; and in case any slave against whom proclamation hath been thus issued and once published at any church or chapel, as aforesaid, stay out and do not immediately return home, it shall be lawful for any person or persons whatsoever, to kill and destroy such slaves by such ways and means as he, she or they shall think fit, without accusation or impeachment of any crime for the same. And if any slave that hath run away and lain out, as aforesaid, shall be apprehended by the sheriff, or any other person, upon the application of the owner of the said slave, it shall and may be lawful for the county court to order such punishment to the said slave, either by dismembering or any other way, not touching his life, as they in their discretion shall think fit for the reclaiming any such incorrigible slave and terrifying others from the like practices.

Provided always, and it is further enacted, that for every slave

killed, in pursuance of this act, or put to death by law, the master or owner of such slave shall be paid by the public. [Hening's Statutes, iii. 460, 461.]

SECTION 274.

Baptism of Slaves—New York, 1706.

“Whereas, divers of her majesty's good subjects, inhabitants of this colony, now are, and have been willing that such negro, Indian and mulatto slaves, who belong to them and desire the same should be baptized, but are deterred and hindered therefrom by reason of a groundless opinion that hath spread itself in this colony, that by baptizing of such negro, Indian, or mulatto slave they would become free and ought to be set at liberty. In order, therefore, to put an end to all such doubts and scruples as have, or hereafter at any time may arise about the same, be it enacted by the governor, council and assembly, and it is hereby enacted by the authority of the same, that the baptizing of any negro, Indian, or mulatto slave shall not be any cause or reason for the setting them or any of them at liberty.” [Laws of New York (ed. 1752), p. 69.]

SECTION 275.

No Slave Admitted as a Witness For or Against Freemen—New York, 1706.

“No slave, whatsoever, in this colony, shall, at any time, be admitted as a witness for or against any freeman, in any case, matter or cause, civil or criminal, whatsoever.” [Laws of New York (1752), p. 69.]

SECTION 276.

Drunkenness, Cursing or Swearing, etc.—New York, 1708.

“Every negro, Indian, or other slaves that shall be found guilty of any of the above said facts [drunkenness, cursing or swearing], or talk impudently to any Christian, shall suffer so

many stripes, at some public place, as the justice of the peace in such place where such offense is committed shall think fit, not exceeding forty." [Laws of New York (1752), p. 72.]

SECTION 277.

Punishment of Criminal Slaves—Pennsylvania, 1707.

At a provincial council, held at Philadelphia, on the 25th of February, 1707, "a petition from William Righton and Robert Grace, directed to the governor alone, being presented to him, the governor thought fit to lay it before the council, the matter of which petition was, that Toney, a negro slave of the said Righton, Quashy, a like slave of the said Grace's, were lately, at a special court held for that purpose in this town, condemned to death for burglary proved against them; but forasmuch as it will be of very great damage to the petitioners should their said slaves' lives be taken, since there is no provision in this government, as is usual in other places, for a competent restitution to the owners who lose their slaves by the hand of public justice, therefore they humbly pray, that, in mercy to the said owners, the lives of their slaves may be spared, and that they may be suffered to transport them, and instead of death, that they may have the liberty to inflict on them such corporal punishment as may be requisite for a terror to others of their color, which the said owners will take care to have duly executed upon them."

The petition of the owners of the slaves was granted, and the council ordered that the slaves be punished in the following manner:

"They shall be led from the market place, up the second street and down through the front street to the bridge, with their arms extended and tied to a pole across their necks, a cart going before them, and that they shall be severely whipped, all the way as they pass, upon the bare back and shoulders. This punishment shall be repeated for three market days successively; in the meantime they shall lie in irons in the prison, at the owners' charge, until they have such an opportunity as shall best please them for transportation: all which being duly performed, the sentence of death shall

be entirely remitted.” [Minutes of the Provincial Council of Pennsylvania, vol. ii. 422.]

SECTION 278.

Indian Slaves—Carolina, 1708.

“Be it enacted by the authority aforesaid, that the captain or other person commanding-in-chief, commissioned for such an expedition, as aforesaid, is hereby nominated and appointed commissioner to buy all prisoners of the said Indian enemies, above the age of twelve years, that shall be taken captive, either by white man or Indian, in the said expedition, as heretofore; and the slaves so bought shall be taken care of and delivered by the said captain or other person commanding-in-chief, to the public receiver, who is hereby required and commanded to pay all such sum or sums of money that shall be drawn upon him by the commissioner aforesaid, for all such slave or slaves as he, the said commissioner, shall purchase, not exceeding the sum of seven pounds for every Indian slave. And the public receiver is hereby empowered to ship off to some islands of the West Indies the slaves so bought and delivered to him by the commissioner aforesaid, to be there sold, or dispose of them here, for the use of the public, to any person or persons who shall enter into bonds, with the penalty of two hundred pounds, not to send or carry any slave or slaves so bought by him or them to any part or place within this province or to the northward thereof.” [Statutes of South Carolina, ii. 325.]

SECTION 279.

Slaves—Indians—Massachusetts, 1712.

An act prohibiting the importation or bringing into this province any Indian servants or slaves.

Whereas, divers conspiracies, outrages, barbarities, murders, burglaries, thefts, and other notorious crimes and enormities, at sundry times and especially of late, have been perpetrated and committed by Indians and other slaves, within several of her majesty's

plantations in America, being of a malicious, surly and revengeful spirit, rude and insolent in their behavior and very ungovernable; the over-great number and increase whereof within this province is likely to prove of pernicious and fatal consequence to her majesty's subjects and interests here, unless speedily remedied, and is a discouragement to the importation of white Christian servants, this province being differently circumstanced from the plantations in the islands, and having great numbers of the Indian natives of the country within and about them, and at this time under the sorrowful effects of their rebellion and hostilities; be it therefore enacted by his excellency, the governor, council and representatives, in general court assembled, and by the authority of the same, that, from and after the publication of this act, all Indians, male or female, of what age soever, imported or brought into this province, shall be forfeited to her majesty for and towards the support of the government, unless the person or persons importing or bringing in such Indian or Indians shall give security at the secretary's office, of fifty pounds per head, to transport and carry out the same again within the space of one month next after their coming in, not to be returned back to this province. And every master or other vessel, merchant or person whatsoever, importing or bringing into this province, by sea or land, any Indian or Indians, male or female, within the space of twenty-four hours next after their arrival or coming in, shall report and enter their names, number and sex, and give security in the secretary's office, as aforesaid, on pain of forfeiting to her majesty, for the support of the government, the sum of fifty pounds per head, to be sued for and recovered in any of her majesty's courts of record by action, bill, complaint or information. And the fee to be paid for such entry and bond, as aforesaid, shall be two shillings and six pence, and no more." [Acts and Laws of Massachusetts from 1692 to 1719. (London. Printed by John Baskett, printer to the king. 1724), pp. 281, 282.]

SECTION 280.

White Servants—Carolina, 1712.

"Every master or importer of white servants into this colony,

claiming from the public receiver the benefit of this act, shall take an oath before the public receiver, that, to the best knowledge he could possibly procure by such methods as he could with convenience make use of for finding out the truth, none of the said servants, for importing of whom he claims the benefits of this act, were ever in any prison or goal, or publicly stigmatized for any matter criminal by the laws of Great Britain." [Statutes of South Carolina, ii. 386.] "If any importer of servants or masters of ships, or the like, shall endeavor by indirect means to elude the true intent and meaning of this act by bringing over criminals out of Newgate, or any other gaol of Great Britain, he shall forfeit and pay the sum of twenty-five pounds, current money of this province, for each person so brought over and sold." [Statutes of South Carolina.]

SECTION 281.

Slaves—Pennsylvania, 1712.

In 1712 "William Southbe applied to the Assembly [of Pennsylvania] for a law for the declaration of freedom to all negroes. The house resolved: 'It is neither just or convenient to set them at liberty.'" [Hazard's Register of Pennsylvania, vol. v. p. 113.]

SECTION 282.

Carolina, 1712.

Preamble to "An act for the better ordering and governing of negroes and slaves." June 7, 1712.

"Whereas, the plantations and estates of this province can not be well and sufficiently managed and brought into use without the labor and service of negroes and other slaves; and forasmuch as the said negroes and other slaves brought unto the people of this province for that purpose are of barbarous, wild, savage natures, and such as renders them wholly unqualified to be governed by the laws, customs and practices of this province; but that it is absolutely necessary that such other constitutions, laws and orders

should in this province be made and enacted for the good regulating and ordering of them as may restrain the disorders, rapines and inhumanity to which they are naturally prone and inclined, and may also tend to the safety and security of the people of this province and their estates." [Statutes of South Carolina, vii. 352.]

The act to which this extract is a preamble declares that "great numbers of slaves which do not dwell in Charleston, on Sundays and holidays resort thither to drink, quarrel, fight, curse and swear and profane the Sabbath, and using and carrying of clubs and other mischievous weapons, resorting in great companies together, which may give them an opportunity of executing any wicked designs and purposes, to the damage and prejudice of the inhabitants of this province." Every master, mistress or overseer of a family in the province was required to "cause all his [or her] negro houses to be searched diligently and effectually, once every fourteen days, for fugitives and runaway slaves, guns, swords, clubs and any other mischievous weapons."

SECTION 283.

Slaves—Runaways— Carolina, 1712.

"And for the better security of all such persons that shall endeavor to take any runaway, or shall examine any slave for his ticket, passing to and from his master's plantation, it is hereby declared lawful for any white person to beat, maim or assault, and if such negro slave can not otherwise be taken, to kill him, who shall refuse to show his ticket, or by running away or resistance endeavor to avoid being apprehended or taken." [Statutes of South Carolina, vii. 353.]

"And in case such male negro shall run away the fourth time, and shall so continue for the space of thirty days, he, so offending, for the fourth offense, by order or procurement of the master, mistress, overseer or head of the family, shall be gelt; and in case the negro or slave that shall be gelt shall die by reason of his gelding, and without any neglect of the person that shall order the same, the owner of the negro or slave so dying shall be paid for him out of the public treasury."

“And if a female slave shall run away the fourth time, then she shall, by order of her master, mistress or overseer, be severely whipped, and be branded on the left cheek with the letter R, and her left ear cut off.”

“And in case any negro or slave shall run away the fifth time, and shall so continue by the space of thirty days at one time, such slave shall be tried before two justices of the peace and three freeholders, as before directed by this act in case of murder, and being by them declared guilty of the offense, it shall be lawful for them to order the cord of one of the slave’s legs to be cut off above the heel, or else to pronounce sentence of death upon the slave, at the discretion of the said justices.” [Statutes of South Carolina, vii. 353-360.]

SECTION 284.

Indians, Negroes and Mulattoes—New Hampshire, 1714.

“Whereas, great disorders, insolencies and burglaries are oft-times committed in the night time by Indian, negro and mulatto servants and slaves, to the disquiet and hurt of her majesty’s good subjects, for prevention whereof be it enacted by his excellency, the governor, council and representatives, convened in General Assembly, and by the authority of the same, that no Indian, negro or mulatto servant or slave may presume to absent from the families where they respectively belong, or be found abroad in the night time after nine o’clock, unless it be upon errand for their respective masters or owners.” Penalty, “To be openly whipped by the constable, not exceeding ten stripes.” [Laws of New Hampshire, p, 52.]

SECTION 285.

Baptism of Slaves—Carolina, 1712.

“Since charity and the Christian religion, which we profess, obliges us to wish well to the souls of all men, and that religion may not be made a pretense to alter any man’s property and right, and that no person may neglect to baptize their negroes or slaves, or suffer them to be baptized, for fear that thereby they should be

manumitted and set free; be it therefore enacted by the authority aforesaid, that it shall be, and is hereby declared lawful for any Indian or negro slave, or any other slave or slaves whatsoever, to receive and profess the Christian faith and be thereinto baptized; but that, notwithstanding such slave or slaves shall receive and profess the Christian religion and be baptized, he or they shall not thereby be manumitted or set free, or his or their owner, master or mistress lose his or their civil right, property and authority over such slave or slaves, but that the slave or slaves, with respect to his servitude, shall remain and continue in the same state and condition that he or they was in before the making of this act." [Statutes of South Carolina, vii. 364, 365.]

SECTION 286.

Indian Servants or Slaves—New Hampshire, 1714.

"Whereas, divers conspiracies, outrages, barbarities, murders, burglaries, thefts, and other notorious crimes and enormities, at sundry times, have of late been perpetrated and committed by Indians and other slaves within several of her majesty's plantations in America, being of a malicious, surly and revengeful spirit, and very ungovernable, the over-great number and increase whereof within this province is likely to prove of fatal and pernicious consequences to her majesty's subjects and interests here, unless speedily remedied, and is a discouragement to the importation of white Christian servants, be it therefore enacted by his excellency, the governor, council and representatives convened in General Assembly, and by the authority of the same, that from and after the publication of this act, all Indians, male or female, of what age soever, that shall be imported or brought into this province by sea or land, every master of ship or other vessel, merchant or person, importing or bringing into this province such Indians, male or female, shall forfeit to her majesty, for the support of the government, the sum of ten pounds per head, to be sued for and recovered in any of her majesty's courts of record, by action, bill, complaint or otherwise, to be paid into the treasury for the use aforesaid." [Laws of New Hampshire, p. 53.]

SECTION 287.

Freedom Dues to Servants—Maryland, 1715.

And, furthermore, for ascertaining what each servant, according to the custom of the country, shall have at the expiration of their servitude, be it enacted, by the authority, advice and consent aforesaid, that every man servant shall, at such time of expiration of his servitude, as aforesaid, have allowed and given him one new hat, a good suit—that is to say, coat and breeches, either of kersey or broadcloth—one new shirt of white linen, one new pair of French fall shoes and stockings, two hoes and one ax, and one gun of twenty shillings price, not above four foot by the barrel, nor less than three and a half, which said gun shall, by the master or mistress, in the presence of the next justice of the peace, be delivered to such free man, under the penalty of five hundred pounds of tobacco on such master or mistress omitting so to do, and the like penalty on the said freeman selling or disposing thereof within the space of twelve months, the one half whereof to our sovereign lord the king, his heirs and successors, the other to the informer. All women servants, at the expiration of their servitude, as aforesaid, shall have allowed and given a waistcoat and petticoat of new half-thick, or pennystone, a new shift of white linen, shoes and stockings, a blue apron, two caps of white linen, and three barrels of Indian corn. [Maxey's Laws of Maryland, i. 112.]

SECTION 288.

Time of Servitude of Servants—Maryland, 1715.

And, for the ascertaining and limiting servants' times of servitude, be it enacted by the authority, advice and consent aforesaid, that whosoever shall transport any servant into this province without indenture, such servant, being above the age of twenty-two years, shall be obliged to serve the full time of five years; if between eighteen and twenty-two years, without indentures, six years; if between fifteen and eighteen, without indentures, seven years; if under fifteen, without indentures, shall serve till he or they arrive at the full age of twenty-two years. [Maxey's Laws of Maryland, i. 113.]

SECTION 289.

Slaves and Baptism of Slaves—Maryland, 1715.

And be it also enacted by the authority aforesaid, that all negroes and other slaves already imported, or hereafter to be imported into this province, and all children now born, or hereafter to be born of such negroes and slaves, shall be slaves during their natural lives.

And, forasmuch as many people have neglected to baptize their negroes, or suffer them to be baptized, on a vain apprehension that negroes, by receiving the holy sacrament of baptism, are manumitted and set free, be it hereby further declared and enacted, by and with the authority, advice and consent aforesaid, that no negro or negroes, by receiving the holy sacrament of baptism, is thereby manumitted or set free, nor hath any right or title to freedom or manumission, more than he or they had before, any law, usage or custom to the contrary notwithstanding. [Maxcy's Laws of Maryland, i. 115.]

SECTION 290.

Servants—Maryland, 1715.

From and after the publication hereof no servant or servants whatsoever, within this province, whether by indenture or according to the custom of the country, or hired for wages, shall travel by land or water ten miles from the house of his, her or their master, mistress or dame, without a note under their hands, or under the hand of his or their overseer, if any be, under the penalty of being taken for a runaway, and to suffer such penalties as are hereafter provided against runaways.

And it is hereby further enacted, by the authority, advice and consent aforesaid, that any servant or servants, unlawfully absents him, her or themselves from his, her or their said master, mistress, dame or overseer, shall make such satisfaction, by servitude or otherwise, at the discretion of the justices of the county court where such runaway servant did dwell, not exceeding ten days' service for any one day's absence, with such reasonable cost

for his, her or their taking up as the court shall think fit. [Maxcy's Laws of Maryland, i. 110.]

SECTION 291.

Runaway Servants—Maryland, 1715.

“For the better discovery of and encouragement of our neighbor Indians to seize, apprehend or take up any runaway servants or slaves and bring them before a magistrate, they shall, for a reward, have a match-coat paid him or them, or the value thereof, which said reward shall be paid and satisfied by the county where such person shall be so apprehended; and such runaway, if not a slave, to reimburse the said county by servitude or otherwise, as the justices of the provincial or county court shall think fit.” [Maxcy's Laws of Maryland, i. 111.]

SECTION 292.

Food, Clothing, etc., for White Servants—Maryland, 1715.

And be it further enacted, by the authority aforesaid, that if any master or mistress of any servant whatsoever, or overseer, by order or consent of any such master or mistress, shall deny, and not provide sufficient meat, drink, lodging and clothing, or shall unreasonably burthen them beyond their strength with labor, or debar them of their necessary rest and sleep, or excessively beat and abuse them, or shall give them above ten lashes for any one offense, the same being sufficiently proved before the justices of the county courts, the said justices have hereby full power and authority, for the first and second offense, to levy such fine upon such offender as to them shall seem meet, not exceeding one thousand pounds of tobacco, to the use of his majesty, his heirs and successors, for the support of government; and for the third offense, to set such servant so wronged at liberty and free from servitude; but in case the master or owner of any such servant shall think that he or they deserves greater correction, then the said master or

owner of such servant or servants shall or may carry them before any justice of the peace, who, hearing the complaint, shall order such correction as he shall see fit, not exceeding thirty-nine lashes for any one offense. [Maxcy's Laws of Maryland, i. 115.]

SECTION 293.

Reward for Capture of Indian Enemy—Carolina, 1716.

"Any Tuscarora Indian who shall, after the ratification of this act, take captive any of our Indian enemies, shall have given up to him, in the room thereof, one Tuscarora Indian slave." [Statutes of South Carolina, ii. 636, 637.]

SECTION 294.

An Act for Restraining Inhuman Severities—New Hampshire, 1718.

"Be it enacted," etc., "that for the prevention and restraining inhuman severities, which, by evil masters or overseers, may be used towards their Christian servants, that from and after the publication hereof, that if any man smite out the eye or tooth of his man servant or maid servant, or otherwise maim or disfigure them much, unless it be by mere casualty, he shall let him or her go free from his service, and shall allow such further recompense as the court of quarter sessions shall adjudge him.

"And it is further enacted and ordained by the authority aforesaid, that if any person or persons whatever, within this province, shall wilfully kill his Indian or negro servant or servants, he shall be punished with death." [Laws of New Hampshire, p. 101.]

SECTION 295.

Evidence of Slaves against a Christian White Person—Maryland, 1717.

Whereas, it may be of very dangerous consequence to admit and allow as evidences in law in any of the courts of record, or

before any magistrate within this province, any negro or mulatto slave or free negro, or mulatto born of a white woman, during their servitude appointed by law, or any Indian slave, or free Indian natives of this or the neighboring provinces; be it therefore enacted by the right honorable the lord proprietary, by and with the advice and consent of his lordship's governor, and the upper and lower houses of Assembly, and by the authority of the same, that from and after the end of this present session of Assembly, no negro or mulatto slave, free negro, or mulatto born of a white woman, during his time of servitude by law, or any Indian slave, or free Indian natives of this or the neighboring provinces, be admitted and received as good and valid evidence in law in any matter or thing whatsoever depending before any court of record or before any magistrate within this province wherein any Christian white person is concerned. [Maxcy's Laws of Maryland, i. 140.]

SECTION 296.

Slaves' Rewards for Killing Enemies, etc.—Carolina, 1719.

“If any slave shall, in actual invasion, kill or take one or more of our enemies, and the same shall prove by any white person to be done by him [he], shall for his reward, at the charge of the public, have ten pounds paid him by the public receiver for such his taking or killing every one of our enemies, as aforesaid, besides what slaves or other plunder he shall take from the enemy.” [Statutes of South Carolina, iii. 109, 110.]

SECTION 297.

Indian Slaves—Carolina, 1719.

“An Indian slave being reputed of much less value than a negro, all persons possessed of Indian slaves shall pay for each Indian in proportion to half the value of what shall be rated and imposed for each negro, and no more.” [Statutes of South Carolina, iii. 77.]

SECTION 298.

White Servants, etc.—South Carolina, 1721.

“And be it further enacted by the authority aforesaid, that the said courts hereby erected shall have full power to imprison obstinate and incorrigible servants who shall desert their masters’ service or refuse to work, and to appoint their allowance to be bread and water, for which the marshal or keeper of the prison shall be allowed two shillings and six pence, current money, per diem, in full for all fees, and no more, and to inflict corporal punishment if they shall continue obstinate, as often as they in their discretion shall see needful, not exceeding twenty lashes each time, on the bare back.” [Statutes of South Carolina (Act for Establishing County and Precinct Courts, sec. 23), vii. 171.]

SECTION 299.

Slaves Stealing Under Pretense of Hunger—Carolina, 1722.

“Whereas, negroes and other slaves, under pretense of hunger, do frequently break open corn-houses and rice-houses, and steal from thence corn and rice, and such offenses have been deemed burglary; be it therefore enacted by the authority aforesaid, that for the first offense of this kind he shall not suffer death, but be punished with branding on the right cheek and be whipped not exceeding thirty-nine lashes; for the second offense, he shall be branded on the left cheek and be whipped not exceeding thirty-nine lashes; and for the third offense, he shall suffer death; anything herein before contained to the contrary notwithstanding.” [Statutes of South Carolina, vii. 374.]

SECTION 300.

Cruelty to Slaves—Carolina, 1722.

“If any negro or other slave, under punishment by his master, or his order, for running away or any other crimes or misdemeanors towards his said master, unfortunately shall suffer in life or mem-

ber, which seldom happens, no person whatsoever shall be liable to any penalty therefor. But if any person shall, out of cruelty, or wilfully kill a negro or other slave of his own, he shall pay into the public treasury fifty pounds proclamation money; but if he shall so kill the slave of another man, he shall pay to the owner of the negro slave the full value, and into the public treasury fifty pounds proclamation money; but not to be liable to any other punishment or forfeiture for the same." [Statutes of South Carolina, vii. 381.]

SECTION 301.

Slaves Striking a White Person—Maryland, 1723.

If it shall so happen, at any time, that any negro or other slave shall strike any white person, it shall and may be lawful, upon proof made thereof, either by the oath of the party so struck or otherwise, before any justice of the peace, for such justice to cause one of the negro's or other slave's ears so offending to be cropped." [Maxcy's Laws of Maryland, i. 168.]

SECTION 302.

How Slaves may be Emancipated—Virginia, 1723.

"And be it further enacted by the authority aforesaid, that no negro, mulatto or Indian slaves shall be set free upon any pretense whatsoever, except for some meritorious services, to be adjudged and allowed by the governor and council for the time being, and a license thereupon first had and obtained. And that where any slave shall be set free by his master or owner, otherwise than is herein before directed, it shall and may be lawful for the church wardens of the parish wherein such negro, mulatto or Indian shall reside for the space of one month next after his or her being set free, and they are hereby authorized and required to take up and sell the said negro, mulatto or Indian as slaves, at the next court held for the said county, by public outcry; and that the moneys arising by such sale shall be applied to the use of the said parish by the vestry thereof." [Hening's Statutes, iv. 132.]

SECTION 303.

Punishment of Slaves for Certain Crimes—Maryland, 1729.

“Whereas, several petit treasons and cruel and horrid murders have been lately committed by negroes, which cruelties they were instigated to commit, and hereafter may be instigated to commit with the like inhumanity, because they have no sense of shame or apprehension of future rewards or punishments; and that the manner of executing offenders prescribed by the laws of England is not sufficient to deter a people from committing the greatest cruelties, who only consider the rigor and severity of punishment; be it therefore enacted by the right honorable the lord proprietary, by and with the advice and consent of his lordship’s governor, and the upper and lower houses of Assembly and the authority of the same, that when any negro or other slave shall be convict by confession or verdict of a jury of any petit treason or murder, or wilfully burning of dwelling houses, it shall and may be lawful for the justices before whom such conviction shall be, to give judgment against such negro or other slave to have the right hand cut off, to be hanged in the usual manner, the head severed from the body, the body divided into four quarters, and head and quarters set up in the most public places of the county where such act was committed.” [Maxcy’s Laws of Maryland, i. 190.]

SECTION 304.

Slaves shall not Hunt, etc.—North Carolina, 1729.

“And whereas, great damages are frequently done by slaves being permitted to hunt or range with dogs or guns; for prevention whereof, be it enacted by the authority aforesaid, that it shall not be lawful for any slave, on any pretense whatsoever, to go, range or hunt on any person’s land other than his master’s, with dog or gun, or any weapon, unless there be a white man in his company, under the penalty of twenty shillings, to be paid by his master, for every offense, unto the owner of the land whereon such slave shall range or hunt; and that no slave shall travel from his master’s land by himself to any other place, unless he shall keep

the most usual and accustomed road ; and if any slave shall offend contrary hereto, it shall be lawful for the owner of the land whereon any slave shall be found, to give him a severe whipping, not exceeding forty lashes ; and if any loose, disorderly or suspected person be found drinking, eating or keeping company with slaves, in the night time, such person shall be apprehended and carried before a justice of the peace ; and if he can not give a good and satisfactory account of his behavior, such person shall be whipped, at the discretion of the justice, not exceeding forty lashes.

“And for the better suppressing of negroes traveling and associating themselves together in great numbers, to the terror and damage of the white people, be it enacted by the authority aforesaid, that if any negro or negroes shall presume to travel in the night, or be found in the quarters or kitchens among other persons’ negroes, such negroes so found shall receive correction, not exceeding forty lashes, as aforesaid ; and such negroes in whose company they shall be found shall receive correction, not exceeding twenty lashes.

“Provided always, that nothing in this act shall be construed to prevent any person from sending his slaves on his lawful business, with a pass in writing ; nor to hinder neighbors’ negroes intermarrying together, so that license being first had and obtained of their several masters.” [Martin’s Laws of North Carolina, i. 36.]

SECTION 305.

Not Above Three Slaves to Meet Together—New York, 1730.

“And forasmuch as the number of slaves in the cities of New York and Albany, as also within the several counties, towns and manors within this colony, doth daily increase, and that they have been oftentimes guilty of confederating together in running away, and of other ill and dangerous practices, be it therefore enacted by the aforesaid authority, that it shall not hereafter be lawful for above three slaves to meet together at any time, nor at any other place, than when it shall happen they meet in some servile employment for their masters’ or mistresses’ profit, and by their masters’ or mis-

tresses' consent, upon the penalty of being whipped upon the naked back, at the discretion of any one justice of the peace, not exceeding forty lashes for each offense." [Laws of New York (ed. 1752), p. 194.]

SECTION 306.

Slaves May be Punished at Discretion of Masters—New York, 1730.

"Hereafter it shall and may be lawful for any master or mistress to punish his, her or their slave or slaves for their crime and offenses at discretion, not extending to life or limb." [Laws of New York (ed. 1752), p. 194.]

SECTION 307.

Apparel and Food of Slaves—South Carolina, 1740.

"Whereas, many of the slaves of this province wear clothes much above the condition of slaves, for the procuring whereof they use sinister and evil methods; for the prevention, therefore, of such practices for the future, be it enacted by the authority aforesaid, that no owner or proprietor of any slave, negro or other slave (except livery men and boys) shall permit or suffer such negro or other slave to have or wear any sort of apparel whatsoever finer, other, or of greater value than negro cloth, duffils, kerseys, osnabrigs, blue linen, check linen, or coarse garlix or calicoes, checked cottons or Scotch plaids, under the penalty of forfeiting all and every such apparel and garment that any person shall permit or suffer his negro or other slave to have or wear, finer, other or of greater value than negro cloth, duffils, coarse kerseys, osnabrigs, blue linen, check linen, or coarse garlix or calicoes, checked cottons or Scotch plaids, as aforesaid, and all and every constable and other persons are hereby authorized, empowered and required, when and as often as they shall find any such negro slave or other slave having on or wearing any sort of garment or apparel whatsoever finer, other or of greater value than negro cloth, duffils, coarse kerseys, osnabrigs, blue linen, check linen, or coarse garlix or cali-

coes, checked cottons or Scotch plaids, as aforesaid, to seize and take away the same, to their own use, benefit and behoof, any law, usage or custom to the contrary notwithstanding." [Statutes of South Carolina, vii. 412.]

Owners of slaves, or those who had "the care, government or charge of any slave or slaves," and who neglected or refused to allow such slave or slaves "sufficient clothing, covering [and] food," were liable to be fined "in any sum not exceeding twenty pounds current money for each offense." [Ib. vii. 411.]

SECTION 308.

An Act to Make Stealing of Slaves a Felony, Without Benefit of Clergy—Virginia, 1732.

Whereas, divers wicked and evil disposed persons, intending the ruin and impoverishing of their fellow subjects, have devised and of late times frequently practised in several parts of this colony, unlawful and wicked courses, in secretly taking and carrying away sundry negro, mulatto and Indian slaves, and conveying them out of this dominion or into places remote or unknown to the owners of such slaves, to the insupportable wrong and damage of many of his majesty's good subjects; for prevention whereof, be it enacted, by the lieutenant-governor, council and burgesses of this present General Assembly, and it is hereby enacted and declared, by the authority of the same, that if any person or persons, from and after the passing of this act, shall steal any negro, mulatto or Indian slave whatsoever, out of or from the possession of the owner or overseer of such slave, the person or persons so offending shall be and are hereby declared to be felons, and shall suffer death without benefit of clergy. [Hening's Statutes, iv. 324, 325.]

SECTION 309.

Slaves not to be Overworked—South Carolina, 1740.

"Whereas, many owners of slaves, and others who have the care,

management and overseeing of slaves, do confine them so closely to hard labor that they have not sufficient time for natural rest, be it therefore enacted, by the authority aforesaid, that if any owner of slaves, or other person who shall have the care, management or overseeing of any slaves, shall work or put to labor any such slave or slaves, more than fifteen hours in four and twenty hours, from the twenty-fifth day of March to the twenty-fifth day of September, or more than fourteen hours in four and twenty hours, from the twenty-fifth day of September to the twenty-fifth day of March, every such person shall forfeit any sum not exceeding twenty pounds nor under five pounds, current money, for every time he, she or they shall offend herein, at the discretion of the justice before whom such complaint shall be made." [Statutes of South Carolina, vii. 413.]

SECTION 310.

Penalty for Teaching Slaves to Write—South Carolina, 1740.

"And whereas, the having of slaves taught to write, or suffering them to be employed in writing, may be attended with great inconveniences, be it therefore enacted, by the authority aforesaid, that all and every person and persons, whatsoever, who shall hereafter teach or cause any slave or slaves to be taught to write, or shall use or employ any slave as a scribe in any manner of writing whatsoever, hereafter taught to write, every such person or persons shall, for every such offense, forfeit the sum of one hundred pounds current money." [Statutes of South Carolina, vii. 413.]

In a notice prefixed to the seventh volume of the Statutes at Large of South Carolina (which was printed in 1840), the editor says: "As it is an age when our institutions are likely to be misrepresented, the editor thinks it proper to call the attention of the reader to the fact that all the laws on the subject of slaves, from the year 1690 to 1751, included between the pages 343 and 426 of this volume, expired before the revolution. If the false philanthropist of the day chooses to quarrel with any enactments during that period, let him recollect that they were British, not American laws, and that the free people of South Carolina have no cause to blush at any enactment of theirs."

Jefferson, in his Notes on Virginia, says: "During the regal government, we had at one time obtained a law which imposed such a duty on the importation of slaves as amounted nearly to a prohibition, when one inconsiderate Assembly, placed under a peculiarity of circumstances, repealed the law. This repeal met a joyful sanction from the then sovereign, and no devices, no expedients which could ever after be attempted by subsequent Assemblies, and they seldom met without attempting them, could succeed in getting the royal assent to a renewal of the duty. In the very first session held under a republican government the Assembly passed a law for the perpetual prohibition of the importation of slaves." [Jefferson's Notes on Virginia (Randolph's ed.), p. 96.]

SECTION 311.

From the "Laws of the Government of New Castle, Kent and Sussex upon Delaware: Published by Order of the Assembly. Philadelphia. Printed and Sold by B. Franklin, at the New Printing Office in Market Street. MDCCXLI." [1741.]

Slaves Carrying Arms.

"If any negro or mulatto slave shall presume to carry any guns, swords, pistols, fowling-pieces, clubs, or other arms and weapons whatsoever, without his master's special license for the same, and be convicted thereof before a magistrate, he shall be whipped with twenty-one lashes upon his bare back." [p. 67.]

Punishment for Stealing Slaves, Horses, etc.

"Be it enacted by the Honorable George Thomas, Esq., by and with his majesty's royal approbation, lieutenant-governor and commander-in-chief of the counties of New-Castle, Kent and Sussex on Delaware, and province of Pennsylvania, by and with the advice and consent of the representatives of the freemen of the said counties in General Assembly met, and by the authority of the same, that from and after the publication of this act, every person who shall feloniously steal, take or carry away any negro or mulatto slave, horse, gelding, mare or colt, or aid or assist any person or persons in committing any such offense, and being thereof legally convicted or attainted by verdict of a jury or confession of the

party offending, or being indicted thereof, shall stand mute or not directly answer to the indictment endorsed with the name or names of the prosecutor or prosecutors, or shall peremptorily challenge above the number of twenty persons legally returned to be of the jury for the trial of such offenders, shall suffer death, without benefit of clergy, in like manner as such felons by the laws now in force in that part of Great Britain called England, any law of this government to the contrary notwithstanding." [Ib. p. 165.]

Servants.

"And be it further enacted, by the authority aforesaid, that such servants as shall be imported into this government, and truly serve his or her time, mentioned in his or her indenture, shall, at the expiration of the term of his or her servitude, have a discharge from his or her master or mistress, and by them be clothed with two suits of apparel, whereof one shall be new, to be approved by at least one justice of the peace, upon complaint to him by such servant becoming free." [Ib. p. 133.]

Free Negroes or Mulattoes Dealing with Slaves, etc.

"If any free negro or mulatto shall barter, trade or deal with any servant or negro or mulatto slave, without license had, as aforesaid, he or she shall make restitution to the master or owner of such servant or slave, and also be publicly whipped with any number of lashes not exceeding twenty-one." [Ib. p. 137.]

SECTION 312.

Marriages of Servants, etc.—North Carolina, 1741.

And be it further enacted by the authority aforesaid, that if any minister or reader shall wittingly publish, or cause or suffer to be published, the bans of matrimony between any servants, or between a free person and a servant; or if any minister or justice of the peace shall wittingly celebrate the rites of matrimony between any such, without a certificate from the master or mistress of every such servant that it is done by their consent, he shall forfeit and pay five pounds proclamation money, to the use of the

master or owner of such servant, to be recovered by action of debt, bill, plaint or information; and every servant so married, without the consent of his or her mistress, shall, for his or her said offense, serve his or her said master or mistress, their executors, administrators or assigns, one whole year after the time of service by indenture or custom is expired.

And for prevention of that abominable mixture and spurious issue which hereafter may increase in this government by white men and women intermarrying with Indians, negroes, mustees, or mulattoes, be it enacted by the authority aforesaid, that if any white man or woman, being free, shall intermarry with an Indian, negro, mustee or mulatto man or woman, or any person of mixed blood, to the third generation, bond or free, he shall, by judgment of the county court, forfeit and pay the sum of fifty pounds proclamation money, to the use of the parish.

And be it further enacted by the authority aforesaid, that no minister of the Church of England, or other minister, or justice of the peace, or other person whatsoever within this government, shall hereafter presume to marry a white man with an Indian, negro, mustee or mulatto woman, or any person of mixed blood, as aforesaid, knowing them to be so, upon pain of forfeiting and paying, for every such offense, the sum of fifty pounds proclamation money, to be applied as aforesaid. [Martin's Laws of North Carolina, i. 45, 46.]

SECTION 313.

Iron Collar for Certain Runaways—North Carolina, 1741.

And be it further enacted by the authority aforesaid, that when the keeper of the said public gaol shall, by direction of such court as aforesaid, let out any negro or runaway to hire to any person or persons whomsoever, the said keeper shall, at the time of his delivery, cause an iron collar to be put on the neck of such negro or runaway, with the letters P. G. stamped thereon; and that thereafter the said keeper shall not be answerable for any escape of the said negro or runaway. [Martin's Laws of North Carolina, i. 63.]

SECTION 314.

Slaves Shall not Own Horses, Cattle or Hogs—North Carolina, 1741.

And be it further enacted by the authority aforesaid, that no slave shall go from off the plantation or foot of land where such slave shall be appointed to live, without a certificate of leave in writing for so doing from his or her master or overseer (negroes wearing liveries always excepted).

And be it further enacted by the authority aforesaid, that no slave shall be permitted, on any pretense whatsoever, to raise any horses, cattle or hogs; and all horses, cattle and hogs that, six months from the date hereof, shall belong to any slave, or of any slave's mark in this government, shall be seized and sold by the churchwardens of the parish where such horses, cattle or hogs shall be, and the profit thereof be applied, one half to the use of the said parish, and the other half to the informer.

And, whereas, many times slaves run away and lie out hid and lurking in swamps, woods and other obscure places, killing cattle and hogs, and committing other injuries to the inhabitants of this government, be it further enacted, by the authority aforesaid, that in all such cases, upon intelligence of any slave or slaves lying out as aforesaid, any two justices of the peace for the county wherein such slave or slaves are supposed to lurk or do mischief, shall and are hereby empowered and required to issue proclamations against such slave or slaves (reciting his or their name or names and the name or names of the owner or owners, if known), thereby requiring him or them, and every of them, forthwith to surrender him or themselves; and also to empower and require the sheriff of the said county to take such power with him as he may think fit and necessary for going in search and pursuit of, and effectually apprehending such outlying slave or slaves, which proclamation shall be published on a Sabbath day, at the door of every church or chapel, or, for want of such, at the place where divine service shall be performed in the said county, by the parish clerk or reader, immediately after divine service, and if any slave or slaves, against whom proclamation hath been thus issued, stay out and do not immediately return home, it shall be lawful for any person or persons whatsoever to kill and destroy such slave or slaves, by such ways

and means as he or she shall think fit, without accusation or impeachment of any crime for the same. [Martin's Laws of North Carolina, i. 64, 65.]

SECTION 315.

Punishment of Negroes, Mulattoes and Indians for Giving False Testimony—
North Carolina, 1741.

Be it further enacted, that where any such negro, mulatto or Indian, bond or free, shall, upon due proof made, or pregnant circumstances appearing before any county court within this government, be found to have given a false testimony, every such offender shall, without further trial, be ordered, by the said court, to have one ear nailed to the pillory and there stand for the space of one hour, and the said ear to be cut off, and thereafter the other ear nailed in like manner, and cut off at the expiration of one other hour; and, moreover, to order every such offender thirty-nine lashes, well laid on, on his or her bare back at the common whipping post. [Martin's Laws of North Carolina, i. 65.]

SECTION 316.

Slaves Shall not be Set Free, except, etc.—North Carolina, 1741.

“No negro or mulatto slave shall be set free upon any pretense whatsoever, except for meritorious services, to be adjudged and allowed of by the county court, and license thereupon first had and obtained, and that where any slave shall be set free by his or her master or owner otherwise than is herein before directed, it shall and may be lawful for the church wardens of the parish wherein such negro, mulatto or Indian shall be found, at the expiration of six months next after his or her being set free, and they are hereby authorized and required to take up and sell the said negro, mulatto or Indian as a slave, at the next court to be held for the said county, at public vendue, and the moneys arising by such sale shall be applied to the use of the parish by the vestry thereof; and if any negro, mulatto or Indian slave, set free or otherwise than is herein directed, shall depart this province within six months next after

his or her freedom, and shall afterwards return into this government, it shall and may be lawful for the church wardens of the parish where such negro or mulatto shall be found at the expiration of one month next after his or her return into this government to take up such negro or mulatto and sell him or them as slaves, at the next court to be held for the county, at public vendue, and the moneys arising thereby to be applied by the vestry to the use of the parish, as aforesaid." [Martin's Laws of North Carolina, i. 66.]

SECTION 317.

Punishment for Stealing, Killing or Mismarking Cattle, etc.—North Carolina, 1741.

"And be it further enacted, by the authority aforesaid, that if any negro, Indian or mulatto slave shall kill any horse, cattle or hog, belonging to any person whatsoever, without the consent of the owner or owners thereof, or shall steal, misbrand or mismark any horse, cattle or hog, such slave or slaves shall, for the first offense, suffer both his ears to be cut off, and be publicly whipped, at the discretion of the justices and freeholders before whom he or she shall be tried; and for the second offense shall suffer death." [Martin's Laws of North Carolina, i. 50.]

SECTION 318.

Slaves Killed or Dying Under Punishment—North Carolina, 1741.

And be it further enacted by the authority aforesaid, that if, in the dispersing any unlawful assemblies of rebel slaves or conspirators, or seizing the arms and ammunition of such as are prohibited by this act to keep the same, or in apprehending runaways, or in correction by order of the county court, any slave shall happen to be killed or destroyed, the court of the county where such slave shall be killed, upon application of the owner of such slave, and due proof thereof made, shall put a valuation in proclamation money upon such slave so killed, and certify such valuation to the next session of Assembly, that the said Assembly may make suitable allowance

thereupon to the master or owner of such slave. [Martin's Laws of North Carolina, i. 65.]

SECTION 319.

White Servants—North Carolina, 1741.

No person whatsoever, being a Christian, or of Christian parentage, who, from and after the ratification of this act, shall be imported or brought into this province, shall be deemed a servant for any term of years, unless the person importing him or her shall produce an indenture or some specialty or agreement, signifying that the person so imported did contract to serve such importer or his assigns any number of years, in consideration of his or her passage, or some other consideration therein expressed; and upon any contest arising between the master of any vessel or other person importing any servant or servants, without indenture, upon any bargain or specialty, as aforesaid, the same shall be determined at the next county court to be held for the county where the said servant or servants shall be imported, the justices of which court are hereby empowered to hear and determine the same in a summary way; and such determination or judgment shall be conclusive and binding on the importer or servant or servants, either for the discharge of the said servant or servants, or to oblige him, her or them to serve the importer or his assigns, as the matter shall appear. [Martin's Laws of North Carolina, i. 58.]

SECTION 320.

White Servants—North Carolina, 1741.

And be it further enacted by the authority aforesaid, that if any Christian servant, whether he or she be a servant by importation or otherwise, shall, at any time or times, absent him or herself from the service of his or her master or mistress, without license first had, he or she shall satisfy and make good such loss of time by serving, after their time of service by indenture or otherwise is expired, double the time of service lost or neglected by such ab-

sence ; and also such longer time as the county court shall think fit to adjudge in consideration of any further charge or damage the master or mistress of such servant may have sustained by reason of his or her absence as aforesaid.

And be it further enacted by the authority aforesaid, that if any Christian servant shall lay violent hands on his or her master or mistress or overseer, or shall obstinately refuse to obey the lawful commands of any of them, upon proof thereof by one or more evidences before any justice of the peace, he or she shall, for every such offense, suffer such corporal punishment as the said justice shall think fit to adjudge, not exceeding twenty-one lashes.

And as an encouragement for Christian servants to perform their service with fidelity and cheerfulness, be it further enacted by the authority aforesaid, that all masters and owners of any servant or servants shall find and provide for their servant or servants wholesome and competent diet, clothing and lodging, at the discretion of the county court, and shall not, at any time, give immoderate correction, neither shall, at any time, whip a Christian servant naked, without an order from a justice of the peace ; and if any person shall presume to whip a Christian servant naked, without such order, the person so offending shall forfeit and pay the sum of forty shillings proclamation money to the party injured, to be recovered, with costs, upon petition to the county court (without the formal process of an action), as in and by this act is provided for servants' complaints to be heard and determined : provided complaint be made within six months after such whipping.

And be it further enacted by the authority aforesaid, that every servant who shall be in gaol, for his, her or their own offense, shall serve his, her or their master or owner, double the time he, she or they shall there remain after the expiration of the time he, she or they have to serve by indenture or otherwise ; and further, serve his, her or their said master or owner such time as shall be ordered by the county court, as a satisfaction for the fees and other charges his, her or their master or owner hath expended for such servant or servants.

And be it further enacted by the authority aforesaid, that in all cases of penal laws, whereby persons free are punishable by fine, servants shall be punished by whipping, at the discretion of any

court or justice or justices before whom such fine or fines are recoverable, not exceeding thirty-nine lashes, unless the servant so culpable can and will procure some person or persons to pay the fine. [Martin's Laws of North Carolina, i. 58, 59.]

SECTION 321.

Runaways—Servants or Slaves—North Carolina, 1741.

And be it further enacted by the authority aforesaid, that when any runaway servant or slave shall be brought before any justice of the peace within this government, such justice shall, by his warrant, commit the said runaway to the next constable, and therein also order him to give the said runaway so many lashes as the said justice shall think fit, not exceeding the number of thirty-nine, well laid on, on the bare back of such runaway, and then to be conveyed from constable to constable until the said runaway shall be carried home or to the public gaol, as aforesaid. [Martin's Laws of North Carolina, i. 63.]

SECTION 322.

Slaves Punishable for Defamation—Connecticut, 1750.

"If any negro, Indian, or mulatto slave shall utter, publish or speak such words of or concerning any other person that would by law be objectionable if uttered, published or spoken by any free person of or concerning any other; such negro, Indian or mulatto slave being thereof convicted before any one assistant or justice of the peace (who are hereby empowered to hear and determine the same), shall be punished by whipping on the naked body, at the discretion of the assistant or justice before whom the trial is (respect being had to the circumstances of the case), not exceeding forty stripes; and such slave so convict shall, by such authority, be sold or disposed of to defray all charges arising thereupon, unless the same be by his or her master or mistress paid and answered: provided, nevertheless, that such slave be not debarred from making such pleas and offering such evidences in his, her or their defense

or justification on such trial as any other person might make use of, being sued in an action of defamation, so far as relates to the trial before said assistant or justice, any thing above to the contrary notwithstanding." [Acts and Laws of Connecticut (1750), p. 40.]

SECTION 323.

Punishment for Going Abroad at Night—Connecticut, 1750.

"If any negro, mulatto or Indian servant or slave shall be found abroad from home in the night season, after nine of the clock, without special order from his or their master or mistress, it shall be lawful for any person or persons to apprehend and secure such negro, mulatto or Indian servant or slave so offending, and him, her or them bring before the next assistant or justice of the peace, which authority shall have power to pass sentence upon such servant or slave, and order him, her or them to be publicly whipped on the naked body, not exceeding ten stripes, and to pay cost of court, except his, her or their master or mistress shall redeem them by paying a fine not exceeding ten shillings." [Acts and Laws of Connecticut, p. 230.]

SECTION 324.

White Servants' Clothing—South Carolina, 1744.

"And as it is customary in other of his majesty's colonies in America to make allowances of clothing to servants at the expiration of their servitude, be it enacted, by the authority aforesaid, that every man-servant shall, at such time of expiration of their servitude, as aforesaid, have allowed and given to him, one new hat, a good coat and breeches, either of kersey or broadcloth, two new shirts of coarse white linen, one new pair of shoes and stockings; and all women servants, at the expiration of their servitude as aforesaid, shall have allowed and given them a waistcoat and petticoat of new half thicks or coarse plains, two new shifts of white linen, a new pair of shoes and stockings, a blue apron, and two caps of white linen." [Statutes of South Carolina, iii. 628.]

SECTION 325.

Slaves and Poison—South Carolina, 1751.

“In case any slave shall teach or instruct another slave in the knowledge of any poisonous root, plant, herb or other sort of poison whatever, he or she so offending shall, upon conviction thereof, suffer death as a felon; and the slave or slaves so taught or instructed shall suffer such punishment (not extending to life or limb) as shall be adjudged and determined by the justices and freeholders, or a majority of them, before whom such slave or slaves shall be tried.” [Statutes of South Carolina, vii. 423.]

SECTION 326.

Slave Witnesses—Maryland, 1751.

And be it further enacted, that any slave or slaves who shall give any false testimony against any slave or slaves who shall be prosecuted as aforesaid, and shall be thereof legally convict, shall have one ear cut off on the day of his or her conviction, and receive thirty-nine stripes on the bare back, and that the other ear shall be cropped the next day, and the like number of stripes given the offender on his or her bare back.

And, to the end that such slave or slaves as shall be produced as a witness or witnesses against other slave or slaves may be deterred from giving false testimony, be it enacted, that the justices of assize, or either of them then sitting, or the justice of the county court who shall preside, shall admonish and charge such witness or witnesses to declare the truth, the whole truth, and nothing but the truth, and acquaint him, her or them with the danger and consequence of giving false testimony. [Maxcy's Laws of Maryland, i. 237.]

SECTION 327.

Slaves Rambling, etc.—Maryland, 1751.

And be it further enacted, that where any slave shall be guilty of rambling, riding or going abroad in the night, or riding horses

in the day time without leave, or running away, it shall and may be lawful for the justices of the county court, and they are hereby obliged, upon the application or complaint of the master or owner of such slave, or his, her or their order, or on the application or complaint of any other person who shall be any ways damnified or injured by such slave, immediately such slave to punish by whipping, cropping or branding in the cheek with the letter R, or otherwise, not extending to life or to render such slave unfit for labor. [Maxcy's Laws of Maryland, i. 237.]

SECTION 328.

Penalty for Selling Free Men as Slaves—Virginia, 1753.

And be it further enacted by the authority aforesaid, that if any person shall import into this colony and here sell as a slave, any person or persons who have been free in any Christian country, island or plantation, such importer and seller shall forfeit and pay to the party from whom such free person shall recover his or her freedom double the sum for which such free person was sold, to be recovered in any court of record of this colony, with costs, according to the course of the common law, wherein the defendant shall not be permitted to plead in bar any act or statute for limitation of actions. [Hening's Statutes, vi. 357.]

SECTION 329.

Jews, etc., Shall not Have Christian Servants—Virginia, 1753.

And be it further enacted by the authority aforesaid, that no negro, mulatto or Indian, although a Christian, or any Jew, Moor, Mohammedan, or other infidel, shall at any time purchase any Christian servant, nor any other except of their own complexion, or such as by this act are declared slaves. And if any of the persons aforesaid shall, nevertheless, presume to purchase a Christian white servant, such servant shall immediately become free and be so held, deemed and taken. And if any person having such Christian ser-

vant shall marry with a negro, mulatto, Indian, Jew, Moor, Mohammedan, or other infidel, such servant shall thereupon become freed from all service then due to such master or mistress. [Hening's Statutes, vi. 359.]

SECTION 330.

Poor Persons of Full Age to be Set to Work—New Hampshire, 1766.

Preamble: "Whereas, there are many poor people who spend their time idly and neglect to provide for themselves and those who depend upon them for subsistence by any lawful means, and neglect the care and education of their children, but suffer them to spend their time in play, idleness and a total neglect of those means by which they might be made useful members of society, notwithstanding the advantages for their improvement, by which neglect the number of beggars, as well as thieves and strollers, are increased, and many disorders committed; for remedy whereof the selectmen or overseers of the poor, with the assent of two justices of the peace, were authorized to "set to work and employ all such persons, though of full age, married or unmarried, of whatever age they may be, if able of body to work or perform the service so appointed them, who live idly and use or exercise no ordinary and daily lawful trade or business by which they might get an honest livelihood and subsistence." "And the person or persons with whom such poor or idle or negligent persons shall be placed shall have the same legal authority over them as masters of apprentices have over them during their apprenticeship." The act declares that the term for which such poor or idle persons shall be placed out, by contract in writing, to work, "shall not exceed one year at a time." [Laws of New Hampshire, pp. 199, 200.]

SECTION 331.

Indian and Negro Servants and Slaves—Connecticut, 1769.

"And, whereas, Indian, negro and mulatto servants and slaves

are very apt to be turbulent, and often to be quarreling with white people, to the great disturbance of the peace, be it therefore enacted, by the authority aforesaid, that if any Indian, negro or mulatto servant or slave shall disturb the peace, as aforesaid, or shall offer to strike any white person, and be thereof convicted, such servant or slave shall be punished by whipping at the discretion of the court, assistant or justice that shall have cognizance thereof, not exceeding thirty stripes for one offense." [Acts and Laws of Connecticut (compiled in 1769), p. 185.]

SECTION 332.

Slaves—Georgia, 1770.

"In case any slave shall teach and instruct another slave in the knowledge of any poisonous root, plant, herb or other sort of a poison whatever, he or she offending shall, upon conviction thereof, suffer death as a felon." [Marbury & Crawford's Digest, 431.]

"No slave or slaves shall be permitted to rent or hire any house, room, store or plantation on his or her own account, or to be used or occupied by any slave or slaves." [Ib. 438.]

"And, whereas, the having slaves taught to read, or suffering them to be employed in writing, may be attended with great inconvenience, be it therefore enacted, that all and every person and persons whatsoever who shall hereafter teach, or cause any slave or slaves to be taught to write or read writing, or shall use or employ any slave as a scribe in any manner of writing whatsoever, every such person and persons shall, for every such offense, forfeit the sum of twenty pounds sterling." [Ib. p. 438.]

Penalty for making slaves labor on the Sabbath, ten shillings for every slave; "work of absolute necessity and the necessary occasions of the family only excepted." [Ib. 438.]

SECTION 333.

Connecticut, 1774.

An act for prohibiting the importation of Indian, negro, or mulatto slaves :

Whereas, the increase of slaves in this colony is injurious to the poor, and inconvenient, be it enacted, by the governor, council and representatives, in general court assembled, and by the authority of the same, that no Indian, negro, or mulatto slave, shall at any time hereafter, be brought or imported into this colony, by sea or land, from any place or places whatsoever, to be disposed of, left, or sold, within this colony.

“Be it further enacted, by the authority aforesaid, that any person or persons who shall hereafter, contrary to the true intent of this act, import or bring any Indian, negro, or mulatto slave or slaves into this colony, to be disposed of, left, or sold within same, or who knowing such slave or slaves to be imported and brought into this colony, shall receive or purchase them or any of them, shall forfeit and pay to the treasurer of this colony the sum of one hundred pounds lawful money for every slave so imported, brought into this colony, received or purchased, to be recovered by bill, plaint or information in any court of record proper to try the same, and that it shall be the duty of all constables and grand jurors to enquire after and make presentment of all breaches of this act.” [Acts and Laws of Connecticut, passed by the General Court in 1774.]

SECTION 334.

A Law Relating to a Common Whipper for Slaves—New York, 1730.

“And be it enacted, by the same authority, that it shall and may be lawful hereafter, for every city, town and manor within this colony, to have and appoint a common whipper for their slaves; and for his salary it shall and may be lawful for any city, town or manor within this colony, at their common council or town meeting, to agree upon such sum to be paid him by the master or mistress of slaves, not exceeding the sum of three shillings per head for all such slaves as shall be whipped as aforesaid.” [Laws of New York (ed. 1752), p. 194.]

PART VIII.

MISCELLANEOUS LAWS AND ORDERS.

SECTION 335.

Marshal's Fees—Virginia, 1632.

The Marshal's fees shall be :

For an arrest,	10 lbs. tobacco.
For warning to the court,	2 lbs. tobacco.
Imprisonment—Coming in,	10 lbs. tobacco.
Imprisonment—Going out,	10 lbs. tobacco.
Laying by the heels,	5 lbs. tobacco.
Whipping,	10 lbs. tobacco.
Pillory,	10 lbs. tobacco.
Ducking,	10 lbs. tobacco.
The prisoner lying in prison, marshal's attendance per day, 5 lbs. tobacco.	
For every 5 lbs. of tobacco the marshal may require 1 bushel of corn.	

[Hening's Statutes, i. 176, 177.]

SECTION 336.

Words Concerning the King—Virginia, 1640.

In Virginia, in 1640, Stephen Reekes was sentenced to be "put in pillory two hours, with a paper on his head expressing his offense, fined fifty pounds sterling, and imprisoned during pleasure, for saying that his majesty was at confession with the Lord of Canterbury." [Minutes and Proceedings of the Governor and Council of Virginia; Hening's Statutes, i. 552.]

SECTION 337.

Monopolies—Massachusetts, 1641.

“It is ordered, decreed, and by this court declared, that there shall be no monopolies granted or allowed amongst us, but of such new inventions that are profitable to the country, and that for a short time.” [Laws of Massachusetts (ed. 1672), p. 119.]

SECTION 338.

Governor's Supplies—Virginia, 1643.

In 1643 the Grand Assembly of Virginia, in making provisions for the governor's accommodation, declared, “That there be levied for the said governor's accommodation, for this present year, 1643, 2 shillings a head for every tithable person in the colony, to be paid in provisions as hereafter mentioned, at these rates, viz :

“Indian corn, at 10 shillings per barrel—2 barrels of ears to 1 of corn ;

“Wheat at 4 shillings per bushel ;

“Malt at 4 shillings per bushel ;

“Beef at 3½ pence per pound ;

“Pork at 4 pence per pound ;

“Good hens at 12 pence ;

“Capons at 1 shilling and 6 pence ;

“Calves at six weeks old, 25 shillings ;

“Butter at 8 pence per pound ;

“Good wether goats at 20 shillings ;

“Pigs to roast, at three weeks old, at three shillings per pig ;

“Cheese at 6 pence per pound ;

“Geese, turkeys and kids at 5 shillings apiece.” [Hening's Statutes, i. 281.]

SECTION 339.

Corn and Beans Used at Elections—Massachusetts, 1643.

“It is ordered by this court and the authority thereof, that for

the yearly choosing of assistants the freemen shall use Indian corn and beans, the Indian corn to manifest election, the beans contrary; and if any freeman shall put in more than one Indian corn or bean, for the choice or refusal of any public officer, he shall forfeit for every such offense ten pounds, and that any man that is not free, or hath not liberty of voting, putting in any vote, shall forfeit the like sum of ten pounds." [Laws of Massachusetts (ed. of 1672), p. 47.]

Lucian, a Greek writer who flourished about nine hundred and twenty years ago, refers to an Athenian law which provided for the use of black and white beans as a mode of balloting.

SECTION 340.

Taxes—Virginia, 1645.

Whereas, the ancient and usual taxing of all people of this colony by the poll, equally, hath been found inconvenient and is become insupportable for the poorer sort to bear, this Assembly having taken it into consideration, have, for their relief hereafter, thought fit to alter the same, be it therefore enacted, that all public levies and county levies be raised by equal proportions out of the visible estates in the colony. The conformity of the proportions to be as followeth, viz :

One hundred acres of land at	4 lbs. tobacco.
One cow, three years old, at	4 lbs. tobacco.
Horses, mares and geldings, apiece, at	32 lbs. tobacco.
A breeding sheep at	4 lbs. tobacco.
A breeding goat at	2 lbs. tobacco.
A tithable person at	20 lbs. tobacco.

[Hening's Statutes, i. 305, 306.]

SECTION 341.

Dutch and French Trade Prohibited—Rhode Island, 1647.

"We do absolutely prohibit them [the Dutch and French], or any of them, to trade or barter with the Indians within our juris-

diction, upon pain of forfeiture of ship and goods." [Acts and Orders for the Colony and Province of Rhode Island ; Rhode Island Colonial Record.]

SECTION 342.

Curious Order of the Assembly of Virginia—Virginia, 1654.

Whereas, Col. Edward Hill, unanimously chosen speaker of this house, was afterwards maliciously reported by William Hatcher to be an atheist and blasphemer, according to an information exhibited against him the last quarter court, from which the honorable governor and council then cleared the said Col. Edward Hill, and now certified the same unto the house; and forasmuch as the said William Hatcher, notwithstanding he had notice given him of the governor and council's pleasure therein, and of the said Col. Hill's being cleared, as aforesaid, hath also reported, that the mouth of this house was a devil, nominating and meaning thereby the said right worshipful Col. Edward Hill; it is therefore ordered by this house, that the said William Hatcher, upon his knees, make an humble acknowledgment of his offense unto the said Col. Edward Hill and burgesses of this Assembly, which accordingly was performed, and then he, the said Hatcher, dismissed, paying his fees. [Hening's Statutes, i. 387.]

SECTION 343.

Shooting of Guns Prohibited Except at Times of Funerals and Marriages—Virginia, 1655.

Whereas, it is much to be doubted that the common enemy, the Indians, if opportunity serve, would suddenly invade this colony, to a total subversion of the same; and whereas, the only means for the discovery of their plots is by alarms, of which no certainty can be had in respect of the frequent shooting of guns in drinking, whereby they proclaim, and as it were, justify that beastly vice, spending much powder in vain that might be reserved against the common enemy; be it therefore enacted, that what person or per-

sons soever shall, after publication hereof, shoot any guns at drinking (marriages and funerals only excepted), that such person or persons so offending shall forfeit one hundred pounds of tobacco, to be levied by distress in case of refusal, and to be disposed of by the militia in ammunition towards a magazine for the county where the offense shall be committed. [Hening's Statutes, i. 401, 402.]

SECTION 344.

Spinning—Massachusetts, 1655.

"This court, taking into serious consideration the present straits and necessities of the country in respect to clothing, which is not like to be so plentifully supplied from foreign parts as in times past, and not knowing any better way or means conducive to our subsistence than the improving of as many hands as may be in spinning wool, cotton, flax, etc., doth therefore order, and be it ordered by the authority of this court, that all hands not necessarily employed on other occasions, as women, girls and boys, shall and hereby are enjoined to spin according to their skill and ability, and that the selectmen in every town do consider the condition and capacity of every family, and accordingly do assess them at one or more spinners. And because several families are necessarily employed the greatest part of their time in other business, yet if opportunities were attended some time might be spared, at least by some of them, for this work, the said selectmen shall therefore assess such families at half and quarter spinners, according to their capacities. And every one thus, aforesaid, for a whole spinner shall, for time to come, spin every year for thirty weeks, three pounds a week of linen, cotton or woollen, and so proportionably for half and quarter spinners, under the penalty of twelve pence a pound short." [Laws of Massachusetts (ed. 1672), p. 141.]

SECTION 345.

Men Pressed to Build a State House—Virginia, 1660.

Ordered, that the honorable, the governor, have power to press

ten men of the ordinary sort of people, allowing each man two thousand pounds of tobacco per annum for their services, and to employ them toward the building of a state house. [Hening's Statutes, ii. 13.]

SECTION 346.

Virginia, 1662.

From an act for building a town :

Whereas, his sacred majesty by his instructions hath enjoined us to build a town, to which though our own conveniences of profit and security might urge us, yet encouraged by his majesty's royal commands, to which in duty we are all bound to yield a most ready obedience, this Grand Assembly, taking into their serious consideration the best means of effecting it, have in reference thereto enacted :

First. That a town be built at James City, as being the most convenient place in James river, and already best fitted for the entertainment of workmen that must be employed in work.

That the town to be built shall consist of thirty-two houses, each house to be built with brick, forty foot long, twenty foot wide, within the walls, to be eighteen foot high above the ground, the walls to be two brick thick to the water table, and a brick and a half thick above the water table to the roof, the roof to be fifteen foot pitch, and to be covered with slate or tile.

Secondly. That the houses shall be all regularly placed one by another, in a square or such other form as the honorable Sir William Berkeley shall appoint most convenient.

Thirdly. That for the better expediting this work, each of the several seventeen counties build one house, and to that purpose be authorized to impress in each of the said respective counties bricklayers, laborers, carpenters, sawyers, and other tradesmen necessary, to be ready at such time as the governor shall think fit.

Fourthly. That for avoiding the exaction of workmen, the price of bricks, the wages of workmen and laborers and their diet at the ordinaries shall not exceed the prices following, viz :

Bricks, being statute bricks and well burned, one hundred and

fifty pounds of tobacco per thousand; laborers, beside diet, two thousand pounds of tobacco by the year.

Brickmakers, having their diet and six able laborers to help them, provided at his or their charge that employ them, and wood sufficient brought in place for each thousand bricks moulded and burned, forty pounds of tobacco.

Bricklayers, having their diet and three able laborers to attend each of them, for each thousand of bricks laid, forty pounds of tobacco.

Carpenters per day, besides their diet, thirty pounds of tobacco.

Sawyers for boards and summers, one pound of tobacco per foot; for timber for joist, windows, door-cases and rafters, principals, purloiners and other small timber, the said sawyers finding themselves and laborers' diet, half a pound per foot in length. [Hening's Statutes, ii. 172, 173.]

SECTION 347.

Pillories, etc., to be Erected at Each Court—Virginia, 1662.

Whereas, many offenses are punishable by the laws of England and of this country with corporal punishments, for executing whereof no such provision hath been made as the said laws do require; be it therefore enacted, that in every county the court cause to be set up a pillory, a pair of stocks and a whipping-post, near the court house, and ducking-stool in such a place as they shall think convenient, that such offenders as by the laws are to suffer by any of them may be punished according to their demerits. And the courts not causing the said pillory and whipping-post, stocks and ducking-stool to be erected within six months after the date of this act, shall be fined five thousand pounds of tobacco to the use of the public. [Hening's Statutes, ii. 75.]

SECTION 348.

Punishment of a Member of the General Assembly—Maryland, 1666.

“On the 1st of May, 1666, a member was presented by the

lower to the upper house, charged with having disturbed the whole house by calling them papists, rogues, pitiful rogues, puppies, etc. By order of the upper house he was brought before it by the sheriff; whereupon he said he remembered none of the words alleged, but that he was in drink. The upper house adjudged the answer altogether unsatisfactory, and that no person of full age should take advantage of drunkenness in such a case. It was therefore ordered, that he be tied to an apple-tree before the house of Assembly, be there publicly whipped upon the bare back thirty-nine lashes, and be then brought into both houses of Assembly, and to ask their forgiveness." [School History of Maryland, p. 39.]

SECTION 349.

Punishment of Drunkenness—New Jersey, 1668.

"Concerning that beastly vice drunkenness, it is hereby enacted, that if any person be found to be drunk he shall pay one shilling fine for the first time, two shillings for the second, and for the third time and for every time after, two shillings and six pence, and such as have nothing to pay shall suffer corporal punishment; and for those that are unruly and disturbers of the peace they shall be put in the stocks until they are sober, or during the pleasure of the officer in chief of the place where he is drunk." [Leaming & Spicer's Laws of New Jersey, 72.]

SECTION 350.

An Act for Preventing of Danger by the French Residing within this Province—
Massachusetts, 1692.

"There having been frequent complaints made to this court, that although several French protestants who lately fled from persecution, came over sea into this province and were charitably entertained and succored here, yet since that, many of a contrary religion and interest have been brought hither, and others have obtruded themselves, which (especially in this time of war between the two crowns of England and France) proves a grievous incon-

venience, and the public safety is endangered by suffering such a mixed company among us; for remedy whereof it is enacted and ordained, by the governor, council and representatives convened in General Assembly, and by the authority of the same, that from and after the second day of January next ensuing none of the French nation be permitted to reside or be in any of the seaport or frontier towns within this province but such as shall be licensed by the governor and council, nor shall any of the said nation open shop or exercise any manual trade in any of the towns of this province without the approbation of the selectmen first orderly obtained in writing, under their hands, on pain of imprisonment. And any two justices of the peace (*quorum unus*), within their respective precincts, are hereby empowered to commit to prison any person or persons legally convicted of offending against this act, upon the complaint of the selectmen in any town, or any two of them, and to remain in prison until released by order of the governor and council." [Acts and Laws of Massachusetts (Baskett's ed. 1724), p. 36.]

SECTION 351.

Fences—Carolina, 1694.

"All planters and others of the inhabitants of the province who do plant corn or other provisions, or any other thing which they would have secured from damage or damages of horses, neat cattle, or any other stock, shall make, have and keep a good, strong and sufficient fence, six feet high, about all sorts of provisions, and shall, from time to time, so maintain and keep the same." [Statutes of South Carolina, ii. 81.]

SECTION 352.

Enforcement of Law—Pennsylvania, 1701.

The following views are contained in a letter which William Penn addressed to the justices of Newcastle in 1701:

"The laws I must desire you to see exactly put in execution, and suffer no delays of time, either in corporal or pecuniary pun-

ishment by remitting them to me. The law is made against offenders, they know the conditions they trangress upon, and if they choose one they must not refuse the other, for mercy to the undeserving is a public injustice, and I shall reckon all such who come to trouble me on those heads without your express recommendations." [Pennsylvania Archives, i. 143.]

SECTION 353.

Pay of Jurors—Maryland, 1715.

And be it also enacted, that it shall and may be lawful for the justices of the severall and respective county courts of this province to allow unto the grand jurors that shall serve in the severall and respective county courts any sum of tobacco, at the discretion of the said justices, not exceeding five hundred pounds for each court they shall serve, to be paid out of the severall and respective county levies.

And be it further enacted, that it shall and may be lawful for the justices of the provincial court to allow unto every petit juror summoned to serve in the same court, the sum of thirty pounds of tobacco for every day such juror shall attend in such service, to be paid them in the public levy, besides the sum of one hundred and twenty pounds of tobacco, to be allowed every full jury that shall pass their verdict in any cause, to be paid by the party for whom such verdict shall pass, and be allowed in the bill of cost as usual. [Maxcy's Laws of Maryland, i. 102.]

SECTION 354.

Attorneys' Fees—Maryland, 1715.

And be it further enacted, by the authority, advice and consent aforesaid, that from and after the end of this present session of Assembly, there shall be paid to any attorney or other person practicing the law in any of the county courts of this province, for bringing, prosecuting or defending any action of what nature or quality soever, to final judgment, agreement or other end thereof, the sum

of one hundred pounds of tobacco, unless the principal debt and damage or balance of any debt and damages sued for and recovered do exceed the sum of two thousand pounds of tobacco or ten pounds sterling, that then the said attorney shall have two hundred pounds of tobacco and no more; and to any attorney or other person practicing the law in the provincial court, high court of chancery, commissary's court, court of vice-admiralty, or for prosecuting or defending any appeals, writs of error or any other matter or thing whatsoever, before his excellency the governor and council, the several sums hereafter expressed and set down, that is to say, for prosecuting or defending any cause, plaint or action of what nature soever, in the provincial court, to final judgment, agreement or other end thereof, the sum of four hundred pounds of tobacco and no more; for any fee in the high court of chancery and court of vice-admiralty, six hundred pounds of tobacco and no more; for any fee in the commissary's court, four hundred pounds of tobacco and no more; for any fee upon any writ of error or appeal which shall be before his excellency the governor and council, six hundred pounds of tobacco and no more; and to his majesty's attorney-general for any action in the provincial court, at the suit of his majesty, indictment, presentment or information, the sum of four hundred pounds of tobacco and no more, any law, statute or custom to the contrary in anywise notwithstanding.

And be it further enacted, by the authority, advice and consent aforesaid, that if any attorney or other person practicing the law in any of the aforesaid courts do presume to ask, receive, take or demand any greater or larger fee than before by this act appointed, and be thereof legally convicted, he shall be incapable to practice the law in any court of this province for the future. [Maxcy's Laws of Maryland, i. pp. 130, 131.]

SECTION 355.

Voters Required to Appear at the Polls—Maryland, 1716.

“All freeholders, freemen and other persons qualified to give votes in the election of delegates, shall and are hereby obliged to be and appear at the time and place appointed for elections to be here-

after had or made of any delegates, burgesses and citizens to serve in any Assembly for this province, under the penalty of one hundred pounds of tobacco for every person so qualified as aforesaid neglecting to appear, one half thereof to the right honorable the lord proprietary, his heirs and successors, for and toward the county charge, and the other half to the informer that shall complain to any one or more justices or magistrates of such absence; which justice or justices or other magistrates are hereby empowered to determine such complaint and award execution for the said penalty, unless such person or persons shall, at the next county court after such election, show sufficient cause for his or their absence, to be allowed and approved of by the justices of the several county courts in this province." [Maxcy's Laws of Maryland, i. 137.]

SECTION 356.

Qualifications of Voters—Carolina, 1717.

"Every white man (and no other) professing the Christian religion, who has attained to the age of one and twenty years, and hath been a resident and inhabitant of the parish for which he votes for a representative for the space of six months before the date of the writs for the election that he offers to give in his vote at, and hath a freehold of at least fifty acres of land, or shall be liable to pay taxes to the support of this government for the sum of fifty pounds current money, shall be deemed a person qualified to vote for, and may be capable of electing a representative or representatives to serve as a member or members of the commons house of Assembly for the parish or precinct wherein he actually is a resident." [Statutes of South Carolina, iii. 3.]

SECTION 357.

"Grandeur and Authority" of Courts—Maryland, 1719.

Whereas, it is obvious to this present session of Assembly that there is an absolute necessity of a law for the better preserving

the honor, dignity and authority of his lordship, in the persons of his magistrates in the administration of justice, from the insults, affronts and indecent demeanor before them of the practitioners of the law and other officers and persons, that have hitherto been so frequent in all the courts of this province as well as out of court, be it therefore enacted, by the right honorable, the lord proprietor, by and with the advice and consent of his lordship's governor, and the upper and lower houses of Assembly, and by the authority of the same, that the several magistrates, judges of the several courts within this province, be and are hereby authorized and strictly required to observe the demeanor of all practitioners of the law before them, as well as all ministerial officers or other persons who shall use any indecent liberties to the lessening the grandeur and authority of their respective courts, and to discountenance and punish the same, according to the nature of the offense, either by suspending such practitioner of the law from their practice perpetually or for a time, or to punish such practitioners or ministerial officers or other persons by fine, at the discretion of such court before whom such offense shall be committed, not exceeding four thousand pounds of tobacco in the superior courts, nor two thousand pounds of tobacco in the several county courts within this province, on each offender for any one offense.

And, likewise, all and every the several magistrates, in the execution of their office out of court, are hereby required, in like manner, to observe the carriage and demeanor of all persons whatsoever that shall come before them, and if any person or persons shall behave themselves indecently towards any of them (or condemn their authority when lawfully required to assist them) in the execution of their office, or otherwise, it shall and may be lawful for any of the several courts within this province, upon information to them made by any such magistrate or magistrates, against any person or persons who have so misbehaved themselves or condemned their authority, without any formality in law, to call such offender or offenders before them and punish them by fine, imprisonment or by setting in the stocks, at discretion, the fine not to exceed one thousand pounds of tobacco each offender, the imprisonment not to exceed two days, nor the setting in the stocks above two hours, for any one offense, all which fines to be levied by way

of execution, and by such court applied towards the maintaining a public school in the county where such offense is committed. [Maxey's Laws of Maryland, i. 146.]

SECTION 358.

Rate of Taxation on Lands and Slaves—South Carolina, 1725.

“Be it further enacted and declared by the authority aforesaid, that every hundred acres of land be and is hereby rated at five shillings per hundred acres, and every slave of what age soever, at twenty shillings per head.” [Statutes of South Carolina, iii. 258.]

1736. “It is hereby enacted and declared, that the sum of seventeen shillings and six pence, current money, per head, be imposed and levied on all male white persons, from the age of twenty-one to sixty years (except the new-comers settled in his majesty's townships, who are hereby exempted); and the sum of twelve shillings and six pence, current money, per head on all negroes and other slaves whatsoever and wheresoever within the limits of this province; and the sum of seven shillings and six pence, current money, per hundred acres, on all lands throughout the said province (town lots without the limits of Charleston excepted).” [Statutes of South Carolina, iii. 438, 439.]

SECTION 359.

Crows and Squirrels—Maryland, 1728.

Be it enacted by the right honorable the lord proprietary, by and with the advice and consent of his lordship's governor and the upper and lower houses of Assembly, and the authority of the same, that from and after the commencement of this act every master, mistress, owner of a family, or single taxable, in the several and respective counties within this province, shall be and are by this act obliged yearly (at some time before the laying their county levies), to produce to some one of the justices of their

county three squirrel scalps or crows' heads for every taxable person they shall pay levy for that year, and the justices of the peace before whom such squirrels' scalps or crows' heads shall be brought shall be and is hereby obliged to destroy such squirrels' scalps and crows' heads as shall be so produced to him, to prevent their being produced a second time, and give such person a certificate, under his hand, certifying the number of squirrels' scalps and crows' heads such persons brought before him, which certificate the person obtaining the same shall lay before the justices of their county at the time of the laying their county levy; and the justices shall then cause a list of the taxables of their county to be laid before them, in order from thence to compare the number of taxables each person pays in the county with the certificates produced, that thereby it may be found what persons have complied with this act and who have failed therein.

And be it further enacted, by the authority, advice and consent aforesaid, that every person that shall fall short of producing a certificate of squirrels' scalps or crows' heads, in proportion to their taxables, according to the directions of this act, the justices of the several and respective county courts within this province, at the time of laying the county levy, are hereby empowered and required, for each squirrel scalp or crows' head such person shall fall short, in manner aforesaid, to levy upon such person the sum of two pounds of tobacco, to be upon execution, and collected by the sheriff of the county in the same manner as the public and county levies are, to be applied towards defraying the county charge.

And be it further enacted, by the authority, advice and consent aforesaid, that every person that shall bring to any justice of the peace within this province the heads or scalps of any more squirrels or crows than the three for each taxable by this act required, shall, for every such head or scalp, be allowed in the county levy where such squirrel or crow was killed, the sum of two pounds of tobacco; and the justice of the peace before whom such heads or scalps shall be brought is hereby required to give the person bringing the same a certificate thereof, and cause the said heads and scalps to be burned or otherwise destroyed: provided always, that no person whatsoever shall be entitled to any allowance for any squirrels' or crows' heads or scalps without first making oath (or

affirmation if a Quaker) or otherwise make appear that such squirrels or crows were killed after the commencement of this act and in the county where the allowance is prayed. [Maxcy's Laws of Maryland, i. 186, 187.]

SECTION 360.

Oath of an Attorney—Virginia, 1732.

You shall do no falsehood, nor consent to any to be done in the court, and if you know of any to be done you shall give notice thereof to the justices of the court, that it may be reformed; you shall delay no man for lucre or malice, nor take any unreasonable fees; you shall not wittingly or willingly sue or procure to be sued any false suit, nor give aid nor consent to the same upon pain of being disabled to practice as an attorney forever. And furthermore, you shall use yourself in the office of an attorney within the court according to your learning and discretion. So help you God. [Hening's Statutes, iv. 361.]

SECTION 361.

Certain Tradesmen not Allowed to Keep Taverns, etc.—South Carolina, 1741.

“Nothing in this act shall extend or be construed to extend to give or grant any power or authority to the said justices [or others] to grant any license to any person or persons who hath or have been bred to or have heretofore used the trade of a carpenter, joiner, bricklayer, plasterer, shipwright, wheelwright, smith, shoemaker, tailor, tanner, cabinet-maker or cooper, and shall at the time of his or their application for such order be able and capable, by his or their honest labor and industry, of getting a livelihood and maintaining him or themselves and families by following, using and exercising the trade or trades aforesaid, to which he or they was bred, it being the true intent and meaning of this act that no such able tradesman shall, from and after the passing of this act, keep any common tavern, punch house, tippling house or billiard table, or commonly sell wine, cider, beer,

brandy, rum, punch, strong drink or other spirituous liquors whatsoever to be spent or consumed in their respective houses." [Statutes of South Carolina, iii. 583.]

SECTION 362.

Beasts of Prey—South Carolina, 1744.

"All and every person and persons whoever that shall hereafter kill in this province, within one hundred and fifty miles of Charleston, or within the Welch tract upon Pedee, any of the beasts of prey hereinafter mentioned, shall have the following rewards, that is to say: for a tiger, eight shillings; for a wolf, six shillings; for a bear, four shillings; for a wild cat, four shillings, proclamation money." [Statutes South Carolina, iii. 633.]

SECTION 363.

Hunters—North Carolina, 1745.

"And forasmuch as there are great numbers of idle and disorderly persons who have no settled habitation nor visible method of supporting themselves by industry or honest calling, many of whom come in from neighboring colonies without proper passes, and kill deer at all seasons of the year, and often leave the carcasses in the woods, and also steal and destroy cattle, and carry away horses, and commit other enormities, to the great prejudice of the inhabitants of this province; be it therefore enacted by the authority aforesaid, that every person who shall hunt and kill deer in the king's waste within this province, and who is not possessed of a settled habitation in the same, shall be obliged to produce a certificate, when required, of his having planted and tended five thousand corn-hills, at five feet distance each hill, the preceding year or season, in the county where he shall hunt, under the hands of at least two justices of the peace of the said county, and the hand of at least one of the church wardens of the parish where such person planted and tended such corn, as aforesaid.

"And be it further enacted, that if any such person as aforesaid is found hunting and does not produce such certificate, as aforesaid, when required, he shall forfeit his gun and five pounds proclamation money for every such offense." [Martin's Laws of North Carolina, i. 69.]

SECTION 364.

Bread—South Carolina, 1749.

The preamble to "An act for regulating the assize of bread" says:

"Whereas, no act of Assembly of this province hath hitherto been made and provided for regulating the price and assize of bread, whereby little or no observance hath been made, either of the due assize or reasonable price of bread made for sale within the same, and covetous and evil disposed persons, taking advantage thereof, have, for their own gain and lucre, deceived and oppressed his majesty's subjects, and more especially the poorer sort of people." [Statutes of South Carolina, iii. 715.]

SECTION 365.

Deerskin Breeches for Soldiers—New Jersey, 1755.

"And be it further enacted by the authority aforesaid, that the commissioners, or any two of them, or any one of them, by the consent of one other, out of the money made current by the act aforesaid, shall purchase for each of the said five hundred men to be raised as aforesaid, one pair of deerskin breeches, which said breeches are allowed to each soldier in lieu of the two pair of osnabrigs trowsers ordered to be given to each soldier by the aforesaid act." [Nevill's Code of New Jersey, ii. p. 50.]

SECTION 366.

Killing Deer, etc.—South Carolina, 1769.

The preamble to "An act for the preservation of deer, and to

prevent the mischief arising from hunting at unseasonable times" contains the following passages:

"Whereas, many idle, loose and disorderly persons, as well residents as non-residents in this province, have made and do make a constant practice of wandering up and down the same, and of killing the deer merely for the sake of the skins, leaving the flesh to rot, whereby wolves and other beasts of prey are brought among the stocks of cattle, hogs and sheep, to the great annoyance and damage of the owners thereof; and whereas, the dangerous practice of hunting and killing deer in the night time by carrying of lighted torches through the woods is now become very common, by means whereof several persons have been killed, and great numbers of all sorts of cattle are frequently destroyed, to the manifest injury of the owners of the same; for remedy thereof," etc. [Statutes of South Carolina, iv. 310.]

SECTION 367.

South Carolina, 1770.

Preamble to "An act to encourage the making of flax, linens and thread in this province":

"Whereas, the inhabitants of the interior parts of this province have become of late very numerous, and as nothing can contribute more to the strength and riches of a country and a due subordination to government than giving encouragement to all settlers to cultivate various valuable and useful commodities, we therefore," etc. [Statutes of South Carolina, iv. 315.]

The premiums offered by the act for flax, etc., produced in South Carolina, were "for every hundred weight of well dressed, merchantable flax, reckoning five score to the hundred weight, twelve shillings proclamation money; for all good and merchantable linens and thread, a bounty after the rate of thirty pounds for every hundred pounds of the true and real value of the said linens and thread." [Statutes of South Carolina.]

SECTION 368.

Prisoners for Debt not Worth Forty Shillings Liberated—North Carolina, 1773.

If he, she or they have no visible estate, real or personal, and shall make oath before the said justices of the peace, or judges of the inferior court, or judge of the superior court respectively, issuing such warrant that he hath not the worth of forty shillings sterling money, in any worldly substance, either in debts owing to him or otherwise howsoever, over and besides his wearing apparel, working tools and arms for muster; and that he has not at any time since his imprisonment, or before, directly or indirectly sold, assigned or otherwise disposed of or made over in trust for himself or otherwise, any part of his real or personal estate whereby to have or expect any benefit or profit to himself or to defraud any of his creditors to whom he is indebted; and if there be no person present that can prove the contrary, then such person, by such court or justices without form of trial, shall be immediately set at liberty and shall stand forever discharged of all such debts so sued for and all costs of suit; but in case such person shall afterwards be discovered to have sworn falsely, he shall be indicted for perjury, and if convicted, shall lose both his ears in the pillory and be liable to satisfy the debt and damages and be rendered incapable of taking the benefit of this act. [Martin's Laws of North Carolina, i. 183.]

SECTION 369.

Provoking Language—Virginia, 1677.

And forasmuch as divers persons do frequently, notwithstanding the late act of Assembly requiring the contrary, renew the breaches, quarrels and heart-burning amongst us in use by names and terms of distinction, viz: traitors, rebel, rogue, rebel, or such like, by which means it will be impossible ever to unite this colony to its former estate of love and friendship, though wished for and desired by all good people; be it enacted by this present Grand Assembly, and the authority thereof, and it is hereby enacted, that whosoever shall presume to use any such gravations or terms of distinction aforesaid, and shall be thereof lawfully convicted, shall,

for every such offense, forfeit and pay four hundred pounds of tobacco to the use of the parish where such offense shall be committed. And whereas, on the other side, divers insolent persons, who have been deeply concerned in the late rebellion, will and do, notwithstanding their guilt, presuming upon the gracious pardon granted by his majesty, with unseemly, offensive language, urge and provoke those who have been loyal and great sufferers in those late unhappy times to utter in their passion such words as otherwise they would not do, both which being highly injurions and prejudicial not only to his majesty's peace, but also to the desired unity of this colony; be it therefore enacted by this present Grand Assembly, and the authority thereof, and it is hereby enacted, that whosoever shall, at any time utter such provoking language to any loyal person whatsoever as shall by the court where the same shall be complained of be adjudged a sufficient provocation for retorting bad language, such person using such provocations be also fined and pay four hundred pounds of tobacco and cask, to be disposed of by the vestry to the use of the parish where such offense shall be committed. [Hening's Statutes, ii. 409.]

SECTION 370.

Order of General Court—Virginia, 1677.

Information being made to this court that Thomas Gordon and John Bagwell, two persons adjudged by act of Assembly for their rebellion and treason to appear at the county court at Rappahannock with halters about their necks, and, upon their knees, to acknowledge their said treasons and rebellions against the king's majesty, did, in contempt of the said law and the king's majesty's authority in this his colony, appear in the said court with small tape (instead of halters) about their necks, which was allowed and accepted of by the magistrates then sitting, not only contrary to, but in contempt of the good laws and his majesty's authority here; it is therefore ordered by this court that Robert Beverley, clerk of the Assembly, do make present inquiry into the truth of such information, and as he shall find the same, he is hereby ordered, commanded and empowered to summons all parties so offending,

whether magistrates or others, and also such evidences to prove the matter as he shall find needful to the next Assembly, to answer such high contempt before the right honorable, the governor and council, and house of burgesses, to them such contemnners, despisers and slighers of the laws, upon due conviction, may receive condign punishment of their fault. [Hening's Statutes, ii. 557.]

SECTION 371.

Order of General Court—Virginia, 1677.

Whereas, Charles Blanckevile being brought before this court for being active in the late rebellion, who, petitioning for the liberty of his majesty's most gracious proclamation of pardon; but, in regard the said Blanckevile hath lately been very active in stirring up the people to mutiny, by speaking divers mutinous words in the county of Elizabeth City, the court have therefore thought fit, and do order that the said Blanckevile, in time of the next county court of Elizabeth City, upon his knees, with a rope about his neck, ask pardon for his rebellion and treason, according to submission, and pay costs. [Hening's Statutes, ii. 554.]

SECTION 372.

Order of General Court—Virginia, 1677.

Whereas, William Potts, being enjoined to perform the law for his rebellion and treason, and he not performing the same, but instead of a halter about his neck he wore a Manchester binding, it is ordered that the said sheriff see the said Potts perform the law, with a halter about his neck, next county court at Rappahannock; and, that Potts pay all those persons' charges who were summoned before the governor and council concerning said Potts, according to act. [Hening's Statutes, ii. 558.]

SECTION 373.

Penalty on Freeholders Failing to Vote—Virginia, 1769.

"And be it further enacted, by the authority aforesaid, that after

publication of such writs, and at the day and place of election, every freeholder actually resident within his county shall personally appear and give his vote, upon penalty of forfeiting two hundred pounds of tobacco to any person or persons who will inform or sue for the same, recoverable, with costs, by action of debt or information in any county court of this dominion." [Hening's Statutes, viii. 308.]

SECTION 374.

Convicts Excluded from Virginia by Order of the General Court—1670.

"April 20th, 1670. The complaints of several of the council and others, gentlemen inhabitants of the counties of York, Gloucester and Middlesex, representing their apprehensions and fears lest the honor of his majesty and the peace of this colony be too much hazarded and endangered by the great numbers of felons and other desperate villains sent hither from the several prisons in England, being this day read in council, we have, upon most serious and careful consideration of the same, thought fit to order, and do hereby accordingly order, that, for prevention and avoiding the danger which apparently threatens us from the barbarous designs and felonious practices of such wicked villains, that it shall not be permitted to any person trading hither to bring in and land any jail birds or such others, who, for notorious offenses, have deserved to die in England, from and after the 20th day of January next, upon pain of being forced to keep them on board and carry them to some other country, where they may be better secured. And we have been the more induced to make this order by the horror yet remaining amongst us of the barbarous designs of those villains in September, 1663, who attempted at once the subversion of our religion, laws, liberties, rights and properties, the sad effect of which desperate conspiracy we had undoubtedly felt, had not God, of his infinite mercy, prevented it by a timely and wonderful discovery of the same; nor hath it been a small motive to us to hinder and prohibit the importation of such dangerous and scandalous people, since thereby we apparently lose our reputation, whilst we are believed to be a place only fit to receive such base and lewd

persons. It is therefore resolved, that this order remain in force until his majesty shall signify his pleasure to the contrary, or that it be reversed by an order from his most honorable privy council, and that it be forthwith published, that all persons concerned therein may take notice of it accordingly. (Book in office general court, labeled 'Deeds and Wills from 1670 to 1677, No. 2, p. 6.')" [Hening's Statutes, ii. p. 509.]

SECTION 375.

Charge to a Grand Jury—Virginia, 1745.

"WILLIAMSBURGH, VIRGINIA, April 25, 1745.

"Thursday last, being the fourth day of the general court, his honor the governor [William Gooch] was pleased to deliver the following charge to the gentlemen of the grand jury, which they afterwards requested his honor to permit to be published:

"Gentlemen of the Grand Jury: Without taking notice of the ordinary matters and things you are called upon to attend and sworn to make inquisition for, I must on this occasion turn to your thoughts and recommend to your present service another subject of importance, which, I thank God, has been unusual, but I hope will be most effectual—I mean the information I have received of certain false teachers that have lately crept into this government, who, without order or license, or producing any testimonial of their education or sect, professing themselves ministers under the pretended influence of new light, extraordinary impulse, and such like satirical and enthusiastical knowledge, lead the innocent and ignorant people into all kinds of delusion; and in this frantic and profane disguise, though such is their heterodoxy that they treat all other modes of worship with contempt, yet as if they had bound themselves on oath to do many things against the religion of the blessed Jesus, that pillar and stay of the truth and reformed church, to the great dishonor of Almighty God, and the discomfort of serious Christians, they endeavor to make their followers believe that salvation is not to be obtained [but (?)] in their communion.

"As this denunciation, if I am rightly advised, in words not decent to repeat, has been by one of them publicly affirmed and shows

what manner of spirit they all of them are of in a country hitherto remarkable for uniformity of worship, and where the saving truths of the gospel are constantly inculcated, I did promise myself either that their preaching would be in vain or that an insolence so criminal would not long be connived at.

"And therefore, gentlemen, since the workers of a deceitful work, blaspheming our sacraments and reviling our excellent liturgy, are said to draw disciples after them, and we know not whereunto this separation may grow, but may easily foretell into what a distracted condition, by long forbearance, this colony will be reduced, we are called upon by the rights of society and what, I am persuaded, will be with you as prevailing an inducement, by the principles of Christianity, to put an immediate stop to the devices and intrigues of these associated scismatics, who having, no doubt, assumed to themselves the apostasy of our weak brethren, we may be assured that there is not anything so absurd but what they will assert, nor any doctrines or precepts so sacred but what they will pervert and accommodate to their favorite theme, railing against our religious establishment, for which in any other country, the British dominions only excepted, they would be very severely handled.

* * * They are entirely without excuse, and their religious professions are very justly suspected to be the result of Jesuitical policy, which also is an iniquity to be punished by the judges.

"I must, as in duty bound to God and man, charge you in the most solemn manner, to make strict inquiry after those seducers, and if they or any of them are still in this government, by presentment or indictment to report them to the court, that we who are in authority under the defender of our faith and the appointed guardians to our constitution and state, exercising our power in this respect for the protection of the people committed to our care, may show our zeal in the maintenance of the true religion, not as the manner of some is, by violent oppression, but in putting to silence by such methods as our law directs, the calumnies and invectives of these bold accusers, and in dispelling, as we are devoutly disposed, so dreadful and dangerous a combination.

"In short, gentlemen, we should deviate from the pious path we profess to tread in and should be unjust to God, to our king, to our country, to ourselves and to posterity, not to take cognizance

of so great a wickedness whereby the grace of our Lord Jesus Christ is turned into lasciviousness." [Burk's History of Virginia, iii.119.]

MEMORANDUM.—Burk, in his History of Virginia, says that about this time, "It appears that swarms of Methodists, Moravians and New Light Presbyterians, presuming on the humane and tolerant spirit of the times, had spread themselves over the country and were attempting to propagate their doctrines with all the ardor and vehemence of gesture and boldness of denunciation which mark the first moments of a new sect in religion." [Ib. iii. 119.]

SECTION 376.

Extracts from Presentments of a Grand Jury at Charleston—South Carolina, 1765.

"We present as a grievance, the hardship of calling constables from the back settlements of this province to tend upon courts in Charleston."

"We present the great neglect of the militia law, the people in the country not mustering often. We also complain of the neglect of not carrying arms to church and other places of worship, and against the bad custom of delivering their arms to negroes or other slaves to keep while they are at divine service."

"We present it as a grievance, the too frequent abuse of the law relative to the keeping a proper number of white men on plantations, according to the number of blacks." [Statutes of South Carolina, ii. 755.]

PART IX.

CHRONOLOGICAL RECORDS

OF THE ORIGIN AND PROGRESS OF

EUROPEAN COLONIES IN NORTH AMERICA.

1492 TO 1848.

1492. Christopher Columbus discovered the islands of San Salvador, Hayti and Cuba. Some of the German historians claim that Columbus was indebted to Martin Behaim, or Beherira, a native of Nuremberg, for his first thoughts of the continent of America. The Edinburgh Encyclopedia, under the title of "America," says: "We have no reason to believe that Columbus had any knowledge of the discoveries of the Northmen or of the claims of the Welsh."

1494. John Cabot and his son Sebastian, Venetians, on the 24th of June, 1494, discovered the island of Newfoundland, to which they gave the name of Prima Vista. Some doubt rests on the date of this voyage, which, according to some authorities, was made by the Cabots before the date of the first commission granted to them by Henry VII. [See *The Progress of America*, by John Macgregor (London ed. 1847), vol. i. 155.]

1496. March 5, Henry VII. of England granted to John Cabot
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and his sons a commission to navigate with five ships, at their own expense, all parts of the ocean for the purpose of discovering islands and countries unknown to Christian people before that time, and to take possession of the same "as vassals of the crown of England."

1497. In 1497 the Cabots discovered the eastern coast of Labrador. John Cabot died in 1497. [Macgregor's America, i. 158.]

1498. Sebastian Cabot, under a new patent from Henry VII., sailed from England to discover a northwest passage to India. He reached the southern part of the coast of Labrador and then explored the coast of North America southwardly to about the 38th degree of north latitude. "There is great obscurity as to the exact date of the voyages of Cabot, for he either kept no journal, which is not probable, or his journal has not been found." [Macgregor's Progress of America, i. 159.] On the discoveries of the Cabots the crown of England set up a claim to that part of America extending along the Atlantic coast from 25° to 68° northern latitude, and throughout the land as far as the Pacific Ocean.

1498. Columbus, on his third voyage, discovered the island of Trinidad, the river Orinoco and the mainland of America.

1499. Amerigo Vespucci, in company with Alonzo Ojeda, formerly one of the companions of Columbus, visited the coast of South America.

1500. Gaspar Corte Real, a Portuguese navigator, explores the Gulf of St. Lawrence and Labrador as far as Hudson's Bay (?).

1500. The coast of Brazil accidentally discovered by Don Pedro Alvarez de Cabral, a Portuguese navigator.

1508. Thomas Aubert, commander of a French ship, discovered the river which was afterwards called the St. Lawrence.

1510. Alonzo Ojeda made some attempts to establish Spanish settlements about the Gulf of Darien.

1512. Florida discovered by Juan Ponce de Leon, a Spaniard, who went on shore at a point a few miles north of the site of St. Augustine, and sometime afterward made an unsuccessful attempt to plant a colony in Florida.

1513. Vasco Nunez de Balboa passed over the Isthmus of Darien and discovered the Pacific Ocean, which he called the South Sea. In the Spanish account of this discovery it is said that "with unspeakable joy he went down, and coming to the shore, walked into the sea, to take possession of it for the king of Spain."

1515. The Rio de la Plata discovered by Juan Diaz de Solis.

1517. Bartholomew de Las Casas left Cuba and went to Spain to advocate the cause of the conquered and miserable natives of the island.

1517. Yucatan discovered by Hernandez de Cordova.

1519. Francis de Garay explored a part of the coast of the Gulf of Mexico, and probably discovered one or all of the outlets of the Mississippi river.

1519. Cortez landed, with an army, in Mexico, and completed the conquest of the country in 1521.

1520. Terre del Fuego discovered by Fernando Magelhaens or Magellan.

1524. Verrazzani, a Florentine navigator, holding a commission from Francis I. of France, sailed along the eastern coast of America, from latitude twenty-eight degrees north to latitude fifty degrees north. He called the country New France.

1528. Bay of Pensacola discovered.

1528. In 1528 Pamphilo de Narvaez, a Spaniard who had received the appointment of governor of Florida, sailed from Cuba with a force consisting of about three hundred men, forty of whom were mounted, and landed at a point in the vicinity of what is now called Tampa Bay. On the 1st of May, Narvaez set out on an expedition, the main object of which was to discover gold and silver mines. After making long and unsuccessful marches through swamps and forests, and suffering from sickness, hunger and the hostility of the Indians who inhabited the country, Narvaez, with about two hundred and fifty followers, found their way to a place on the Gulf of Mexico now known as the harbor of St. Marks. After building five small boats, the men embarked and sailed

along the coast westwardly. On the 30th of October, 1528, the party in one of the boats in advance discovered one of the mouths of the Mississippi. (?) An unsuccessful attempt was made to ascend that river. Afterwards the boats were separated; and, early in November, two of the boats were wrecked at points in the vicinity of Galveston islands. The fate of the other boats has not been recorded with any degree of certainty. It was reported that the boat in which Narvaez embarked was driven out to sea and lost. The men whose boats were wrecked near Galveston island were treated with kindness by the Indians, who gave them food and shelter. Four of these men, Cabeza de Vaca, Andres Dorantes, Alonzo de Castillo and Estevanico, a blackamoor, after escaping many perils, arrived at the Spanish village of San Miguel, in Sonora, near the Pacific coast, where they were kindly received, in May, 1536. [See Bancroft, i. 40; Kerr's Voyages, v. 425; Dawson's Historical Magazine (vol. ii. second series), p. 141, etc.]

1534. Jacques Cartier, who was commissioned by the French government to make discoveries and settlements in America, entered the gulf to which he gave the name of St. Lawrence. In his second voyage, in 1535, he explored the river St. Lawrence as far as an island that the Indians called Hochelaga, to which he gave the name of Montreal.

1534. California discovered by Hernando de Grijalva.

1539. May 30, Ferdinand de Soto landed in Florida at what is called Tampa bay. The force under his command consisted of about nine hundred infantry and three hundred and fifty cavalry. In the summer of 1539, De Soto, with the hope of finding mines of gold and silver, set out on an exploring expedition. After making many long and disastrous marches among various tribes of hostile Indians, he died, in 1542, on the western side of the Mississippi river, at a point near the mouth of the Red river. His disappointed and disheartened followers, reduced in numbers to about 315 men, built small vessels, passed down the Mississippi into the Gulf of Mexico, and found their way to the Spanish port of Panuco, near the Mexican coast. It has been estimated that, in a period of about four years, the forces under the command of De

Soto marched at least five thousand miles. He discovered the Mississippi in 1541.

1540. Colorado river partly explored by Pedro de Alarcon "for a distance of four degrees." [Bancroft, i. 40, *g.*]

1541. In 1541 Francisco Vasquez de Coronado led an expedition from Mexico, and explored the country, searching for gold and silver, as far as the 40th degree of north latitude. On the banks of a river, supposed to be one of the tributaries of the Mississippi, Coronado raised a cross to commemorate his expedition. It is probable that he "examined the country north of Sonora from Kansas, on the one side, to the chasm of the Colorado on the other." The region was afterwards called New Mexico. [Bancroft i. 41.]

1542. Juan Rodriguez Cabrillo, a Portuguese navigator, in the service of Spain, sailed along the coast of California, visited some islands inhabited by Indians in the vicinity of the coast, and also visited a large Indian settlement on the mainland. This settlement stood at or near the present site of Santa Barbara. [Report of Chief of Engineers (1876), part 3, p. 533.]

1562. Jean de Ribaut made an attempt to found a settlement of Huguenots or French Protestants in Florida.

1565. St. Augustine, Florida, founded by settlement of Spaniards. Pedro Menendez de Aviles, after laying the foundation of a settlement at St. Augustine, attacked and destroyed about two hundred French Protestants who had established a colony on the St. John's river. The prisoners taken by Menendez were hung upon trees, with placards, each bearing an inscription, the meaning of which was: "These wretches have been executed, not as Frenchmen, but as Lutherans or heretics." About two years afterwards, De Gourgues, a French officer, with a considerable force under his command, captured two small Spanish forts in Florida, and hung the prisoners on trees, on the trunks of which he caused to be carved words which meant that the prisoners were "Hung, not as Spaniards, but as assassins or murderers."

1578. Francis Drake, an Englishman, sailed along the coast

of California northward to latitude forty-three degrees, and named the country New Albion.

1578. Letters patent granted by Queen Elizabeth to Sir Humphrey Gilbert, for planting English colonies in America.

1582. Santa Fe founded by Don Antonio de Espego.

1583. Sir Humphrey Gilbert visited Newfoundland. He went on shore, pitched his tent, gathered around him a number of persons who were under his command, read his commission from Queen Elizabeth, and made proclamation that he took possession, for the crown of England, of "the harbor of St. John, and two hundred leagues every way around it."

1484. March 25, letters patent granted by Queen Elizabeth to Sir Walter Raleigh, for the discovering and planting of new lands and countries, to continue for six years and no more.

1585. In 1585 about one hundred and eighty English colonists, under the care of Sir Richard Grenville, were sent by Sir Walter Raleigh to found a settlement in Virginia. On the 26th of June they were landed at Roanoke, an island on the coast of the present state of North Carolina. This attempt to establish a colony was not successful. Mr. Thomas Hariot, a man of science and piety, who was among the colonists, made some attempts to instruct the Indians in reference to the Christian religion. His own account of these efforts is among the first records of missionary labors in behalf of the aborigines of North America. He says: "Many times and in every town where I came, according as I was able, I made declaration of the contents of the Bible, that therein was set forth the true and only God and his mighty works; that therein was contained the true doctrine of salvation through Christ, with many particularities of miracles and chief points of religion as I was able then to utter and thought fit for the time. And although I told them the book materially and of itself was not of any such virtue, as I thought they did not conceive, but only the doctrine therein contained, yet would many be glad to touch it, to embrace it, to kiss it, to hold it to their breasts and heads, and stroke over all their body with it, to show their hungry

desire of that knowledge which was spoken of." [Early Missions of the English Church; *The Church Monthly*, June, 1865.]

1595. A Spanish vessel, the *San Augustin*, was wrecked in the bay of San Francisco.

1595. New Mexico was partly explored by a force composed of Spaniards under the command of Juan de Onate.

1600. M. Chauvin, an officer of the French navy, visited Canada, and returned to France with a cargo of furs.

1602. Bartholomew Gosnold made some unsuccessful efforts to establish an English settlement on one of the islands lying near the coast of Massachusetts. Gosnold carried on some traffic with the Indians; sowed some wheat, and returned to England with a cargo of furs, woods, etc.

1603. Martin Pring, with two vessels furnished by merchants of Bristol, England, visited the coasts of New Hampshire and Massachusetts, for the purpose of trading with the Indians, etc. In 1606, Pring made a second voyage to the coast of New Hampshire.

1605. French settlement founded at Port Royal (now Annapolis), Nova Scotia. The French called the region Acadia.

1605. "In 1605, a ship from London sailed by the direct route to America, and fell in with Long Island, where they sowed wheat as an experiment, and found it to spring up quickly. They traded for furs with the Indians at Connecticut river and other places and returned to London with a valuable cargo of furs and other articles." [Macgregor's *Progress of America*, i. 164, 165.]

1606. April 10, letters patent granted by King James I. for "two several colonies and plantations to be made in Virginia and other parts and territories of America." First, Sir Thomas Gates, Sir George Somers, and others of London and elsewhere, were authorized to plant their colony at any place on the Atlantic coast, between the thirty-fourth and forty-first degrees of north latitude. This company received a grant "of all the lands, woods," etc., "from the first seat of their plantation," "by the space of fifty miles of English statute measure, all along the coast of Virginia and America, towards the west and southwest as the coast lyeth, with all the

islands within one hundred miles, directly over against the same coast; and also all the lands, soil," etc., "from the said place of their first plantation and habitation, for the space of fifty like English miles, all alongst the said coast of Virginia and America, towards the east and northeast, or towards the north as the coast lyeth, together with all the islands within one hundred miles directly over against the said coast; and, also all the lands, woods," etc., "from the same fifty miles every way on the coast, directly into the mainland by the space of one hundred like English miles."

The second company created by the letters patent of April 10, 1606, consisted of Thomas Hanham, Raleigh Gilbert, William Parker, George Popham and others, of Plymouth and elsewhere. They were authorized to plant a colony at any place on the coast between the thirty-eighth and forty-fifth degrees of north latitude, and their grant of territory extended along the coast and back into the mainland so as to include a district equal in extent to that which was granted to the first company. The letters patent declared that the two colonies should not be planted within one hundred miles of each other.

1607. English settlement founded at Jamestown, in Virginia, by the London Company.

"When I went first to Virginia, I well remember, we did hang an awning (which is an old sail) to three or four trees to shadow us from the sun; our walls were rails of wood, our seats unhewed trees till we cut planks, our pulpit a bar of wood nailed to two neighboring trees. In foul weather we shifted into an old rotten tent, for we had few better, and this came by the way of adventure for new. This was our church till we built a homely thing like a barn, set upon crotches, covered with rafts, sedge and earth; so was also the walls. The best of our houses of the like curiosity, but the most part far much worse workmanship, that could neither well defend wind nor rain; yet we had daily common prayer every morning and evening, every Sunday two sermons, and every three months the holy communion, till our minister died, but our prayers daily, with an homily on Sundays." [Captain John Smith's Pathway to Erect a Plantation. London, 1631. Collections of Massachusetts Historical Society, vol. 3, p. 44.]

1607. An unsuccessful attempt was made by the Plymouth Company to plant a colony at the mouth of the Kennebec river.

1608. Samuel Champlain selected the site of Quebec as a suitable place for a French settlement and a fort.

1608. Chesapeake Bay explored by Captain John Smith.

1609. Henry Hudson, an Englishman in the service of the Dutch East India Company, discovered the river which bears his name. He explored the river about as far as the place on which the city of Albany now stands.

1609. May 23, a new charter was granted by James I. to the London Virginia Company. This charter granted to the company "all those lands, countries and territories situate, lying and being in that part of America called Virginia, from the point of land called Cape Comfort, or Point Comfort, all along the sea-coast to the northward two hundred miles, and from the said coast of Cape Comfort all along the sea-coast to the southward two hundred miles; and all that space and circuit of land lying from the sea-coast of the precinct aforesaid, up into the land throughout from sea to sea, west and northwest; and also all the islands lying within one hundred miles along the coast of both seas of the precinct aforesaid." The charter of 1609 was granted to "twenty-one peers, ninety-eight knights, and a multitude of esquires, doctors, gentlemen, merchants, and sundry of the corporation of London."

1610. Hudson's Bay was discovered by Henry Hudson.

1611. March 12, a third charter was granted by King James I. to the Virginia Company.

1612 to 1614. The Dutch made some small settlements in the vicinity of the mouth of the Hudson river, and, about the year 1623, the town of New Amsterdam was laid out on Manhattan island, the site of the city of New York. The region claimed by the Dutch was called New Netherland. It was taken by the English in 1664, and in that year granted to the Duke of York.

From this time to the year 1683 "the inhabitants were ruled by the duke's governors, who made rules and orders which were esteemed to be binding as laws. These were regularly collected un-

der alphabetical titles in 1674. A fair copy of them remains to this day among the records, and they are commonly known by the name of "The Duke's Laws." [British Dominion in North America, New York, 28.]

1614. The coast of New England explored by Captain John Smith. He gave to the region the name of New England.

1614. The Dutch established some settlements on the Hudson river. They built a fort on the west side of the river near the site of Albany.

1616. Upper Canada explored by Le Caron.

1616. Captain John Smith published his map of New England.

1616. Virginia colonists commenced the cultivation of tobacco.

1619. The first General Assembly in America met at Jamestown, in Virginia.

1619. An order of the Virginia Company declares that "in all grants of land a fifth of the royal mines of gold and silver shall be reserved to the company, as another fifth is already reserved to the crown."

1620. On the 3d of November, 1620, James I. granted, by letters patent, to "the council established at Plymouth, in the county of Devon [England], for the planting, ruling, ordering and governing of New England in America," all the country on the Atlantic coast from the fortieth to the forty-eighth degree of north latitude, and "throughout the main land from sea to sea." On the 22d of December, 1620, a settlement was founded by the Puritans, or "Pilgrim fathers," at New Plymouth. The company, which was called the council of Plymouth, gave up their immense grant to the crown in 1635. Charters for the government of Massachusetts were granted in 1629, 1630, 1726 and 1731.

1620. In 1620 a Dutch ship, from the coast of Guinea, sold twenty negro slaves to the colonists of Virginia.

1621. By instructions sent to Governor Wyatt, of Virginia, the people of that colony were required to "put their prentices to

trades, and not let them forsake their trades for planting tobacco, or any such useless commodity."

1622. In the spring of 1622, March 22, the Indians massacred in one day about three hundred and forty-seven colonists of Virginia, including men, women and children. The Virginians, in retaliation, killed a large number of Indians and destroyed many Indian villages.

1622. The following poetical description of the country around Lake Champlain was written by "Thomas Morton, gentleman," who visited the lake in June, 1622, about two hundred and fifty-six years ago :

"And when I had more seriously considered of the beauty of the place, with all her fair endowments, I did not think that in all the known world it could be paralleled. For so many goodly groves of trees, dainty, fine, round, rising hillocks, delicate, fair, large plains, sweet crystal fountains, and clear running streams that twine in fine meanders through the meads, making so sweet a murmuring noise to hear as would even lull the senses with delight asleep, so pleasantly do they glide upon the pebbly stones, jetting most jocundly where they do meet, and, hand-in-hand, run down to Neptune's court to pay the yearly tribute which they owe to him as sovereign lord of all the springs. Contained within the volume of the land fish in multitude and all discovered, besides millions of turtle-doves on the green boughs, which sat pecking of the full ripe pleasant grapes that were supported by the lusty trees whose fruitful loads did cause their arms to bend, while here and there dispersed you might see lilies and of the Daphnean tree, which made the land to me seem paradise."

1624. A law of Virginia declares that "whosoever shall absent himself from divine service any Sunday, without an allowable excuse, shall forfeit a pound of tobacco, and he that absenteth himself a month shall forfeit fifty pounds of tobacco."

1624. Virginia charters abrogated by the court of King's Bench, and Virginia was afterwards governed as a royal province. The charters, records and papers of the company were taken into possession of the king, who appointed a governor and counselors

residing in this colony to whom was committed the management of its affairs.

1626. The northern shore of Lake Ontario explored by the French.

1627. In April, 1627, Louis XIII., by a royal charter, granted to the company of New France the fort of Quebec, the settlements around it, all the territory which was then claimed under the name of New France, "including Florida, with all the countries along the course of the great river of Canada, and all the other rivers which discharge themselves thereinto, or which throughout those vast regions empty themselves into the sea, both on the eastern and western coasts of the continent, with all the harbors, islands, mines and rights of fishery." [Macgregor's America, i. 108.] The king reserved to himself supremacy in matters of faith, homage as sovereign of the country, "with the acknowledgement of a crown of gold, weighing eight marks, on each succession to the throne; the nomination of all commanders and officers of forts, and the appointment of the officers of justice, whenever it became necessary to establish courts of law." [Ib. 107.]

1629. The General Assembly of Virginia ordered "war to be prosecuted against the Indians, and no peace made with them."

1630. Boston founded by English settlers. The Indians called the place "Shawmut."

1631. The General Assembly of Virginia prohibited trading or speaking with Indians.

1632. June 20, charter granted for the government of Maryland.

1632. A law of Virginia requires ministers to "visit, instruct and comfort the sick." "Ministers shall not play at cards, dice or other unlawful games."

1633. September 23, Charles I. granted a special commission to Thomas Young, to "search, discover and find out what parts are not yet inhabited in Virginia, [in] America and other parts thereunto adjoining."

1634. A Christian mission established among the Indians, near the shores of Lake Huron, by the missionaries Brebœf and Daniel.

1634. First English settlement founded in Maryland, at St. Mary.

1635. Roger Williams, a minister of Salem, Massachusetts, was banished from that colony on account of his religious opinions. He removed southward, and in 1636 founded the colony of Rhode Island and Providence Plantations.

1637. A war commenced between the Pequod Indians and the colonists of Connecticut. The Indians carried on the war with great activity and barbarity. Many colonists were massacred. The stronghold of the Indians, which was called the Pequod fort, was attacked by the colonists, burned, and, according to some authorities, about six hundred men, women and children perished in the flames. The General Assembly of Connecticut, when the Pequod war was finished, declared that the name of Pequod should become extinct; that the river called Pequod should be called Thames, and the place called Pequod should be called New London. [Penhallow's Indian Wars (Cincinnati ed.) Appendix, p. 7.]

1638. A Swedish settlement was established near the present site of Wilmington, in Delaware.

1638. Great earthquake throughout New England.

1639. First printing office in English colonies established at Cambridge, Massachusetts, by Samuel Green or by Stephen Daye.(?)

1639. Nicolet, a Frenchman, and an Indian interpreter, explored the country on the borders of the great lakes westward as far as Green Bay and Fox river.

1640. The island of Montreal was granted by the king of France to a company composed of thirty-five persons.

• 1640. The Shawanee Indians began to settle on the borders of the river Ohio. It seems that the Indians and the early French "considered the Allegheny and the Ohio as one and the same river. * * Allegheny is from the Delaware language, and O-he-o from the Seneca, both meaning beautiful water." Hence the

French name "La Belle Riviere." Lewis Evans, in his map of 1755, calls it the Allegan. He also gives the Shawanese name as "Palawa Thoriki." [Egle's Pennsylvania, 1118.]

1641. Charles Raymbault and Isaac Jogues, missionaries, visited the Indians who resided in the vicinity of the Falls of St. Mary, near the outlet of Lake Superior.

1643. The General Assembly of Virginia confirms the gift of land made by Benjamin Symms for the opening and support of a free school.

1643. Articles of union and confederacy entered into by colonists of New England.

1644. In 1644 the Indians made a sudden attack on the colonists of Virginia, about the head waters of York and Pamunky rivers, and massacred about three hundred persons. Some authorities estimate the number of killed at five hundred. [Virginia Historical Collections, 61.]

1646. John Eliot first preached to the Indians of Massachusetts in their native language. [Collections Massachusetts Historical Society, iii. 73.]

1648. Certain Indians, at Jamestown, Virginia, inform the governor, "that, within five days' journey to the westward and by south, there is a great high mountain, and at the foot thereof great rivers that run into a great sea; and that there are men that come hither in ships (but not the same as ours be); they wear apparel and have reed (red?) caps on their heads, and ride on beasts like our horses, but have much longer ears." * * * "The governor hereupon was preparing fifty horse and fifty foot to go and discover this thing himself in person, and take all needful provisions in that case requisite along with him; and we hope to give a good account of it by the next ships, God giving a blessing on the enterprise, which will mightily advance and enrich this country, for it must needs prove a passage to the South Sea, as we call it, and also some part of China and the East Indies." [Extract from "A Narrative of the Country Lying Within a Few Days' Journey of Virginia, West and by South," written in March, 1648, and printed at London, in 1649.]

1649. On the 19th of May, 1649, the Parliament of England passed "An act declaring and constituting the people of England to be a commonwealth and free state."

1649. The English Parliament chartered "a corporation for converting the American Indians."

1649. The Huron tribe of Indians almost destroyed by the Iroquois or Five Nations.

1650. October 3, the English Parliament passed an act prohibiting trade with Virginia.

1650. The name "Quakers" first applied to the Society of Friends.

1651. Christian Indians in Massachusetts establish a town which they call Natick, about seventeen miles from Boston.

1654. A small party of adventurers started from James river, in Virginia, and crossed the Allegheny mountains. It is said that the party discovered several of the tributaries of the Ohio river.

1654. The missionary Father Simon Le Moine visited the country of the Onondaga Indians.

1655. A battle took place near the site of Annapolis, Maryland, in which Governor Stone was defeated by a party of colonists who had named their settlement Providence, and who, for a time, resisted the government of Lord Baltimore. The loss of Governor Stone amounted to about fifty men killed and wounded and one hundred and fifty taken as prisoners.

1656. Massachusetts passed laws to prevent the settlement of Quakers in that province.

1657. The Five Nations carried on war against the Miamies and the Ottawas.

1659. William Robinson and Marmaduke Stephenson, Quakers, were executed in Massachusetts "for their rebellious seditious and presumptuous obtruding themselves after banishment upon pain of death."

1659. Virginia passed laws to prevent the settlement of Quakers in that colony.

1659. Two French fur traders passed the winter on the shores of Lake Superior. In the summer of 1660 they returned to Quebec with several canoes manned by Indians and laden with furs.

1659. The authorities of Maryland published an order for the banishment of Quakers from that colony.

1660. A map of Canada published. The lakes, Ontario, Erie and Huron, are delineated.

1660. The missionary Rene Menard founded a mission among the Indians, on the southern shore of Lake Superior.

1661. The New Testament translated into the language of the Indians of Massachusetts, by the Rev. John Eliot, was published in New England. Mr. Eliot translated the Old Testament, which translation was printed some years afterward (1675?) for the use of the Indians, for whom the same philanthropist prepared a primer, catechism and grammar.

1662. Charter for the government of Connecticut granted April 23, 1662.

1662. The General Court of Massachusetts appointed two licensers of the press.

1662. The Assembly of Virginia passed a law which declares that every person who shall refuse to have his child baptized by a lawful minister shall pay a fine of two thousand pounds of tobacco.

1662. Charter for the government of Rhode Island granted July 8, 1662.

1663. Charter granted for the government of Carolina. Separated into North Carolina and South Carolina in 1729. (?)

1663. The importation of convicts was prohibited by the general court of Virginia.

1664. New Jersey granted to the Duke of York, and by him to Lord Berkeley and Sir George Carteret. Separated into East and West Jersey March 3, 1677. Surrendered to the crown in 1702.

1664. The general court of Massachusetts ordered "that there

shall be no printing press allowed within this jurisdiction but in Cambridge."

1665. Missionaries visit the Indians who reside in the vicinity of Green Bay.

1665. The Marquis de Tracy arrived in Canada with some companies of the regiment Carignan. The remainder of the regiment, with their colonel, M. de Sallierres, arrived soon afterwards.

1667. M. de La Salle arrived in Canada from France.

1667. Sir William Berkeley, governor of Virginia, sent out an expedition "of fourteen English and as many Indians, under the command of Captain Henry Batt, to explore the Indian country. Setting out from the Appomattox river, in seven days they reached the foot of the mountains. * * * After passing over the mountains they came upon a delightful level country, and discovered a rivulet that flowed to the westward. Following it for some days they reached old fields and cabins recently occupied by the natives. Batt left toys in them. Not far from these cabins, at some marshes, the Indian guides halted and refused to go any further, saying that not far off dwelt a powerful tribe that never suffered strangers that discovered their towns to escape. Batt was compelled to return." [Campbell's Virginia, p. 78.] Probably the "delightful level country" was the "Glades" or prairies about the head waters of the Youghiogeny river.

1668. The first edition of Eliot's Indian Bible "was published as early, at least, as the year 1668." [Collections of Massachusetts Historical Society for 1800, p. 24.]

1668. Missionaries from Canada visit the Indians on the western borders of Lake Michigan.

1669. A Spanish party passed up the Ohio and the Allegheny in 1669. This statement is based mainly on Indian tradition. [See an address delivered by De Witt Clinton on "the Antiquities of the Western Part of New York," Craig's Olden Time.]

1670. In 1670 there were in America nine English colonies established on the Atlantic coast between the thirty-second and the forty-fifth degrees of north latitude.

1671. Branches of the Miami Indians were on the "southern extremity of Lake Michigan, in a place called Chicagou, from the name of a small river which runs into the lake, the source of which is not far distant from that of the river Illinois." [Charlevoix's Journal, i. 287.]

1671. In the year 1671 Sir William Berkeley, governor of Virginia, made the following statements in reference to the affairs of that colony:

"There is a governor and sixteen counselors, who have from his sacred majesty a commission of oyer and terminer, who judge and determine all causes that are above fifteen pound sterling; for what is under there are particular courts in every county, which are twenty in number. Every year, at least, the Assembly is called, before whom lie appeals, and this Assembly is composed of two burgesses out of every county. These lay the necessary taxes, as the necessity of the war with the Indians or their exigencies require.

"Commodities of the growth of our country we never had any but tobacco, which in this yet is considerable, that it yields his majesty a great revenue; but of late we have begun to make silk, and so many mulberry trees are planted and planting that if we had skillful men from Naples or Sicily to teach us the art of making it perfectly, in less than half an age we should make as much silk in a year as England did yearly expend three score years since; but now we hear it is grown to a greater excess, and more common and vulgar usage. Now, for shipping we have admirable masts and very good oaks; but for iron ore I dare not say there is sufficient to keep one iron mill going for seven years.

"We suppose, and I am very sure we do not much miscount, that there is in Virginia above forty thousand persons, men, women and children, and of which there are two thousand black slaves, six thousand Christian servants for a short time; the rest are born in the country or have come in to settle and seat in bettering their condition in a growing country.

"Yearly, we suppose, there comes in of servants about fifteen hundred, of which most are English, few Scotch and fewer Irish, and not above two or three ships of negroes in seven years."

To the inquiry, "What course is taken about the instructing the people within your government in the Christian religion, and what provision is there made for the paying of your ministry?" Governor Berkeley wrote the following memorable answer:

"The same course that is taken in England out of towns; every man, according to his ability, instructing his children. We have forty-eight parishes, and our ministers are well paid, and by my consent should be better if they would pray oftener and preach less. But of all other commodities so of this, the worst are sent us, and we had few we could boast of since the persecution of Cromwell's tyranny drove divers worthy men hither. But, I thank God, there are no free schools nor printing, and I hope we shall not have these hundred years, for learning has brought disobedience and heresy and sects into the world, and printing has divulged them, and libels against the best government. God keep us from both!" [Hening's Statutes, ii. pp. 511-517.]

1671. A missionary station founded in Mackinaw, by James Marquette.

1671. In June, S. Lussou, a French officer of Canada, met a large number of Indians in council at the Falls of St. Mary. The missionary Allouez acted as interpreter.

1672. Louis de Baude, Count de Frontenac, built Fort Frontenac at the place where Kingston, Canada, now stands.

1673. The missionary James Marquette, with M. Joliet and a small party, left Mackinaw on the 13th of May, and reached the Mississippi on the 17th of June. They descended that river to an Indian village that stood in the latitude of thirty-three degrees and forty minutes north. On the 17th of July Marquette and his companions left this village and, moving by the way of the Mississippi and Illinois rivers, arrived at Green Bay in the latter part of September.

1673. Virginia granted by Charles II. to the Earl of Arlington and Lord Culpepper for the term of thirty-one years. The grant was revoked in 1684, and Virginia again became a royal province.

1675. King Philip's war against the Plymouth colony commenced in 1675 and ended in 1676. The Indians massacred a great number of colonists and burned many dwellings. In retaliation the colonists attacked the stronghold of the Indians, burned about five hundred wigwams, and killed or captured about one thousand warriors. When the wigwams at the stronghold of the Indians were burned, a number of men, women and children perished in the flames.

1675. Rebellion in Virginia, commenced by Nathaniel Bacon, brought to a close in 1676. In the course of this rebellion Bacon carried on a successful campaign against the Indians.

1676. A law passed in Virginia declaring that Indian prisoners may be sold as slaves.

1677. In the Five Nations, consisting of Mohawks, Oneidas, Cayugas, Onondagas and Senecas, there were two thousand one hundred and fifty warriors.

1679. September 18, a charter granted for New Hampshire, which, up to this time, was under the jurisdiction of Massachusetts.

1679. August 7, the Griffin, a small vessel built by La Salle at or near the site of Erie, Pennsylvania, started on a voyage up Lake Erie. The Griffin arrived at Mackinaw on the 27th of August. The vessel was left at this place, and, using canoes, a number of Frenchmen under the command of La Salle coasted southwardly along the shore of Lake Michigan.

1679. La Salle arrived at the mouth of the river St. Joseph of Lake Michigan on the 1st of November, and built a small fort, which he called Fort Miamis.

1680. La Salle built Fort Crevecoeur, on the Illinois river. The Indians called the fort "Checagou."

1680. Du Luth and five other Frenchmen visited the Falls of St. Anthony. This name was given to the falls by the missionary Louis Hennepin, who passed down the Illinois river to the Mississippi in the spring of 1680.

1681. March 5 (February ?), Pennsylvania granted to Wil-

liam Penn by Charles II. About one thousand settlers arrived in the province of Pennsylvania in 1681. They were sent from England under the charge of Colonel William Markham, who was a nephew of Penn. In October, 1682, Penn arrived in his province with about two thousand emigrants.

1682. Philadelphia founded by William Penn. In 1682, Penn's first terms for the sale of lands were forty shillings sterling for one hundred acres, and one shilling per annum quit rent.

1682. La Salle, with a small party under his command, passed down the Illinois river into the Mississippi, and continued his voyage down that river until he reached the Gulf of Mexico, in April, 1682.

1682. Suppression of the first printing press in Virginia. [Hening's Statutes, ii. 6.]

1683. First treaty between Penn and the Indians.

1684. A letter from Louis XIV. to M. De la Barre, governor-general of Canada, dated July 21, 1684, contains the following passage:

"I desire, likewise, that you leave Fort Frontenac in the possession of Sieur de la Salle, or those who are there for him, and that you do nothing in opposition to the interest of that man, whom I take under my special protection." [Documentary History of New York, i. 109.]

1684. French traders carried guns to the Miami Indians.

1686. King James II. gave orders to the governor of New York "to suffer no printing press in his government."

1686. Du Luth, with a small number of men under his command, established a post about fifty miles above Detroit.

1687. As Du Luth and Tonty "were coasting along Lake Erie they met and captured Major Gregory, of Albany, New York, then on his way, with thirty Englishmen, to trade with the Indians at Mackinaw." [Annals of the Minnesota Historical Society, 1852.]

1687. When the Assembly of Connecticut were about to give

up their charter to Governor Andros, Joseph Wadsworth took possession of the charter and concealed it in a hollow tree, which afterwards bore the name of "the Charter Oak."

1688. The French had some "establishments" or posts on the Mississippi, Ohio and Wabash rivers. (?) Small French settlements were probably founded at Kaskaskia and Cahokia before the year 1690.

1689. In August about twelve hundred warriors of the Six Nations attacked the French settlement at Montreal, burnt a number of houses and killed about two hundred of the inhabitants, and captured about two hundred prisoners. According to a statement in the "British Colonial Library," vol. i. p. 19, this attack on Montreal was made on the 26th of July, 1688, and about "one thousand," including men, women and children, were slain. (?)

1690. February 8, a party composed of French and Indians attacked the settlement at Schenectady, killed and scalped about sixty persons, and burnt the town.

1692. Persons accused of witchcraft executed in Massachusetts. The historian Frost says: "Before this unhappy delusion was cleared away nineteen persons suffered death, eight more were under sentence, and one hundred and fifty were in prison."

1692. An extract from the official journal of Don Diego de Bargas Zapata, now filed among the archives at Santa Fe, contains the following statements:

"Tuesday, 11th November, 1692. I, the said governor and captain-general, on this day entered the Pueblo of Zuni and received the submission of its people. On the same day the Rev. Fathers Corbera and Banoso baptized 294 children, male and female. This concluded, I was conducted to a room and shown an altar on which were burning two large tallow candles. Removing a piece of ornament I found the following articles of religious worship: two brass images of Christ, four inches long, set in wooden crosses; also another image of Christ, eighteen inches long; a portrait of John the Baptist, beautifully executed; one consecrated vase, gilded with gold; a small box with two plates of glass, in which the host is exposed to public view; four chalices, all of silver, and of different

patterns; one ancient mass book, very well preserved; one confession book in the Spanish and in the Mexican language, etc., etc."

The Pueblo of Zuni is situated on the borders of the Rio de Zuni, or Rio del Pescado, in the neighborhood of north latitude thirty-five degrees, five minutes and twelve seconds, and longitude one hundred and eight degrees, forty-one minutes and forty-five seconds. [Report of Lieutenant J. H. Simpson, Corps of United States Topographical Engineers, 1849; Annals Minnesota Historical Society, 1852, p. 18.]

1693. M. Le Sueur commissioned by the governor of Canada to establish a post on the southern shore of Lake Superior, and to make alliances with the Indians.

1695. Le Sueur caused a small fort to be erected on an island in the Mississippi, about two hundred leagues above the mouth of the river Illinois. [Minnesota Historical Society Annals, 1852, p. 33.]

1695. March 20, Jacob Gravier, a Jesuit missionary, baptized Peter Aco, son of Michael Aco and Maria. [First entry in "Extract of the Register of Baptisms in the Mission of Illinois." (?)]

1696. About three hundred Spaniards, under Arriola, established a colony at Pensacola, where they erected a fort and built a church.

1698. Le Sueur visited France and obtained a new commission, by which he was authorized to carry on mining in the Dakota country, about the upper borders of the Mississippi.

1699. The General Assembly of Virginia passed "An act for the more effectual suppressing of blasphemy, swearing, cursing, drunkenness and Sabbath breaking.

1699. The French, under the command of Lemoine d'Iberville, commenced the work of making a settlement at Biloxi, on the shores of Lake Borgne.

1699. (?) A party consisting of twenty-three Spaniards, in search of gold and silver mines, passed up the Mississippi, Ohio and Allegheny rivers to Olean Point, where they left their boats and went

by land to Onondaga Lake. It is supposed that the party was destroyed by hostile Indians. [Craig's Olden Time, ii. 431. Collins' Kentucky, i. 14.

1700. A map published in France, in 1700, gives the location of Fort St. Louis on the left bank of the Illinois river, at the foot of Lake Peoria, which, in 1700, was called "Lake Pimetoui."

1700. On the 13th of July, 1700, Le Sueur, with a party of nineteen men under his command, arrived at the mouth of the Missouri river, and continued his voyage up the river Mississippi, for the purpose of carrying on mining operations in the country about the head waters of that river. When Le Sueur arrived at the mouth of the river Illinois he received a letter from the missionary Rev. Gabriel Marest, who was stationed at Kaskaskia. The following is an extract from the letter, which was written on the 10th of July, 1700:

"I have the honor to write, in order to inform you that the Saugiestas have been defeated by the Scioux and Ayavois (Iowas?). The people have formed an alliance with the Quincapous (Kickapoo?), some of the Mecoutins, Renards (Foxes), and Metesigamias, and gone to revenge themselves, not on the Scioux, for they are too much afraid of them, but perhaps on the Ayavois, or very likely upon the Paoutees, or more probably upon the Osages, for these suspect nothing, and the others are on their guard. As you will probably meet these allied nations, you ought to take precaution against their plans, and not allow them to board your vessel, since they are traitors and utterly faithless. I pray God to accompany you in all your designs." [Neill's Early Trade and Traders of Minnesota; Annals of Minnesota Historical Society, 1852, p. 34.] On the Mankato, or Blue Earth river, Le Sueur built a stockade fort, to which he gave the name of "L'Huillier," in honor of a citizen of France. The fort was abandoned in 1703.

1700. In New York a law was ordained for hanging every Roman Catholic priest that came voluntarily into the province. The passage of this law was intended to prevent the settlement of Jesuit priests among the Indians. [British Dominion in America, book iii. p. 34]

1701. The English "Lords of Trade," etc., declared that "the independency the colonies thirst after is notorious."

1701. From 1701 to 1726, inclusively, two thousand three hundred and seventy-five negro slaves were imported into the province of New York by slave traders. [Documentary History of New York, i. 707.]

1701. The Five Nations placed themselves under the protection of the English. About the year 1711 the Tuscaroras joined the Five Nations, and the confederacy became known as the Six Nations.

1701. A permanent French settlement founded at Detroit, by Antoine de Lamotte Cadillac, accompanied by a missionary and about one hundred Frenchmen.

1702. In 1702 Fort Miamis stood on the right bank of the river St. Joseph, which flows into the southeastern part of Lake Michigan.

1702. M. Jucherau, a French officer from Canada, with about thirty-four Frenchmen, made an attempt to establish a trading post on the borders of the Ohio, at the mouth of that river; and about the same time the missionary Mermet made an effort to found a missionary station among the Indians, who were invited to settle at that place. The site of an "ancient fort" on the right bank of the Ohio, near its mouth, is marked on a map published in London in 1766.

1704. In the winter of 1704 the town of Deerfield, in New England, was destroyed by a party of French and Indians. Forty-seven of the inhabitants were tomahawked. One hundred and twelve persons, men, women and children, were carried into captivity.

1704. Spanish garrison at St. Mark, Florida, destroyed by the English of Carolina, accompanied by a great number of Alabama Indians. [Charlevoix's Journal, ii. 339 (?).]

1707. Small tracts of land were granted to French settlers at Detroit.

1708. In 1708, in Carolina, emigrants from Germany were furnished with one hundred acres of land per head, free of quit rent for ten years.

1710. A French trader settled at the site of Nashville, Tennessee.

1710. The Quakers built their first meeting-house in Boston.

1710. Port Royal, Nova Scotia, captured by the English. The name of Port Royal was changed to Annapolis, in honor of Queen Anne.

1711. The missionary Chardon occupied a station on the St. Joseph river, which flows into Lake Michigan.

1711. There was a slave market in Wall street, New York. [Barber's History of New York; Chronological Table.]

1712. French settlement at Detroit besieged by the Kickapoo, Fox and Mascoutin tribes of Indians; relieved by the Ottawas, Hurons and Pottawattamies.

1712. The exclusive right to carry on trade and commerce in Louisiana was granted by Louis XIV. to Anthony Crozat, an officer of the king's household, and a man of great wealth.

1713. The civilized population of Louisiana was estimated at about four hundred colonists. The province extended from Lake Michigan to the Gulf of Mexico.

1714. Fort Rosalie built by the French, at the site of Natchez.

1715. The French complained of the encroachments of English traders in regions west of the Allegheny mountains. (?)

1716. Two French vessels sailed from the mouth of the Mississippi river, being the first vessels used for carrying productions of Louisiana to France.

1716. Governor Spotswood, of Virginia, attempted to purchase some lands lying on the borders of the Ohio river; and proposed a plan for planting English settlements on that river.

A work printed in 1724, entitled, "The Present State of Virginia, by Hugh Jones, A. M., Chaplain to the Honorable Assem-

bly and Minister of Jamestown," contains the following statements: "Governor Spotswood, when he undertook the great discovery of the passage of the mountains, attended with a sufficient guard of pioneers and gentlemen, with sufficient stock of provisions, with abundant fatigue passed these mountains and cut his majesty's name in a rock upon the highest of them, naming it Mount George; and, in complaisance, the gentlemen, from the governor's name, called the mountain next in height Mount Alexander. For this expedition they were obliged to provide a great quantity of horse shoes (things seldom used in the lower part of the country, where there are few stones), upon which account the governor, upon their return, presented each of his companions with a golden horse shoe (some of which I have seen studded with valuable stones, resembling the heads of nails), with this inscription on one side: 'Sic juvat transcendere montes,' and on the other side is written, 'The Tramontane Order.' This [order] he instituted to encourage gentlemen to venture back and make discoveries and new settlements, any gentleman being entitled to wear the golden shoe who can prove his having drunk his majesty's health upon Mount George." [See Hall's West, i. 184.]

1716. French traders passed from Canada to the Mississippi by way of the Maumee, Wabash and Ohio rivers.

1717. The site of New Orleans was selected for a town by M. Bienville.

1717. Crozat surrendered his grant to the crown of France; and the trade and commerce of the province of Louisiana was granted to the Western, or Mississippi Company. At this time it was believed that the province was rich in mines of gold and silver.

1718. A settlement founded at Natchez by the French.

1718. About eight hundred colonists were sent from France to Louisiana.

1718. A small fort, called Fort Chartres, was built on the left bank of the Mississippi, about eighteen miles distant from Kaskaskia.

1719. The Mississippi Company, in consequence of having its privileges greatly extended, assumed the name of the Company of the Indies.

1719. "The Indian traders at the head of the Potowmak were attacked by a body of Indians, and defeated with a loss of many lives." [Hazard's Pennsylvania Register, v. p. 114.]

1719. Sieur Dubuisson, French commandant at Ouiatenon, on the Wabash.

1719. Reported death of "Sieur de Vincennes" among the Miami Indians. (?)

1720. A few families emigrated from Canada, and settled at the villages of Kaskaskia and Cahokia.

1721. The province of Louisiana was divided into nine districts, viz: New Orleans, Biloxi, Mobile, Alabama, Natchez, Yazoo, Natchitoches, Arkansas and Illinois. Negro slaves were imported from Africa into Louisiana and sold on a credit of three years to those settlers who were engaged in agricultural pursuits.

1721. King George I. appointed a temporary government for Carolina; and "about the same time the province was divided into North and South Carolina." [Statutes of South Carolina, i. 429.]

1721. Kaskaskia mentioned by Charlevoix as "a flourishing mission."

1722. Grants of land to settlers in the vicinity of Kaskaskia.

1722. In 1722 plans for the union of the English colonies in America were publicly proposed by Daniel Cox. It was believed by Mr. Cox, and probably by others, that a man could pass, by land, in half a day, from the head waters of the Mississippi to the head waters of streams flowing into the Pacific Ocean.

1724. About this time the Delaware Indians emigrated from regions about the Delaware and Susquehanna rivers, and settled in the country about the head waters of the Ohio.

1724. Louis XV. published an ordinance for the government of the colony of Louisiana, and for the regulation of slavery in

that colony. The following articles are copied from this ordinance :

“The edict of the late king, Louis XIII., of glorious memory, dated the 23d of April, 1615, shall be in force in our province and colony of Louisiana, in the execution of which we enjoin the directors-general of said company and all our officers to remove from said country all the Jews who may have taken up their abode there, the departure of whom, as declared enemies of the Christian name, we command, within three months, including the day when these presents are published, under pain of forfeiture of their bodies and estates.”

“All slaves who may be in our said province shall be educated in the Apostolic Roman Catholic religion and be baptized. We command those colonists who purchase slaves recently imported thus to have them instructed and baptized within a reasonable time, under pain of an arbitrary fine. We charge the directors-general of said company and all our officers to enforce this strictly.”

“We prohibit any other religious rites than those of the Apostolic Roman Catholic church, requiring that those who violate this prohibition shall be punished as rebels, disobedient to our commands. We prohibit all meetings for this purpose: such we declare to be unlawful and seditious assemblages, subject to the same penalties inflicted upon masters who shall permit or suffer it with respect to their slaves.”

“We admonish all our subjects, of every rank and condition, to observe scrupulously Sundays and holy days. We prohibit their laboring or causing their slaves to labor on those days (from the hour of midnight to the following midnight) in the culture of the soil or any other service, under penalty of a fine and arbitrary punishment, to be inflicted upon the masters, together with forfeiture of those slaves who shall be detected by our officers at work; reserving to them, nevertheless, the privilege of sending their slaves to market.”

“Masters shall be obliged to inter in holy ground, within the cemeteries set apart for that purpose, their slaves who have been baptized; and with regard to those slaves who die without baptism, they shall be buried at night, in some field adjacent to the place of their decease.”

"The slave who shall have struck its master, mistress, the husband of its mistress, or their children, so as to bruise, draw blood, or upon the face, shall be punished with death."

"The fugitive slave who shall have run away for the space of one month, counting from the day on which his master shall have reported him to the court, shall have his ears cut off and be branded with a fleur-de-lis upon one shoulder; and if he repeat the offense for the space of another month, including in like manner the day of his being informed against, he shall be hamstrung and branded with a fleur-de-lis upon the other shoulder; and the third offense shall be punished with death."

"We prohibit all our subjects in said country, of every rank and condition, from putting their slaves or causing them to be put by their authority to the torture or rack, under any pretense whatsoever, or from inflicting or causing to be inflicted any mutilation of the limbs, under the penalty of forfeiting the slaves and being prosecuted to the last extremity."

"Slaves enfeebled by old age, sickness, or otherwise, whether the debility be incurable or not, shall be maintained and supported by their masters; and in case they have abandoned them, said slaves shall be quartered upon the nearest hospital, to which their masters shall be condemned to pay eight sous per day for the maintenance and support of each slave, for the payment of which sum said hospital shall have a lien upon the plantations of said masters, into whose possession soever they may pass." [Le Code Noir ou Recueil de Reglemens, p. 281.]

1725. English traders carry on a traffic with some of the Miami Indians.

1727. Edmond Cartlidge, John Davenport and Henry Baly were Indian traders at "Alleeganeeing" (Allegheny), as early as 1727.

1728. In September, 1728, the provincial authorities of Pennsylvania said: "We are now apprehensive that the story we first heard in the spring of the Tweektwees or Naked Indians, or Miamis, (for they go by all these names) who live to the southwest of Lake Erie, being invited to attack this country, is not altogether without foundation." [Pennsylvania Archives, i. 230.]

1728. Colonel William Byrd, of Virginia, in his journal, written in 1728, speaks of the Nottoway Indians in Southampton county as follows:

"Those Indians dwell among the English, and see in what plenty a little industry enables them to live; yet they choose to continue in their stupid idleness, and to suffer all the inconveniences of dirt, cold and want, rather than to disturb their heads with care or defile their hands with labor.

"The whole number of people belonging to the Nottoway town, if you include women and children, amount to about two hundred. These are the only Indians of any consequence now remaining within the limits of Virginia. The rest are either removed or dwindled to a very inconsiderable number, either by destroying one another, or else by the small-pox and other diseases; though nothing has been so fatal to them as their ungovernable passion for rum, with which, I am sorry to say it, they have been too liberally supplied by the English that live near them." [Howe's Historical Collections of Virginia, 471.]

1729. The French settlement at Natchez and those on the Yazoo and Washita rivers destroyed by the Natchez tribe of Indians.

1729. Mr. Joshua Gee published a "Discourse on Trade," in which he urged the British government to plant colonies as far westward as the Mississippi.

1729. Anthony Saduskus (or Sadowsk), John Maddox and John Fisher were Indian traders at "Allegheny," in the province of Pennsylvania.

1729. Baltimore founded in the province of Maryland.

1730. The Natchez tribe of Indians destroyed by the French.

1731. The French built a fort at Crown Point, on Lake Champlain, and called the fortification "Fort St. Frederick."

1731. A description of the province of South Carolina, "drawn up at Charleston, in September, 1731," contains the following statements:

"His majesty grants to every European servant, whether man or

woman, fifty acres of land free from all rents for ten years, which shall be distributed to them after having served their masters for the time agreed on." * * * "We shall only make the following observations: 1. That there were no people in Carolina till about sixty years ago, for the English did not begin to send any thither till the year 1670. 2. That they had at first very fatal beginnings, being afflicted with sickness, and even the plague, which daily diminished the number of the people. 3. That cruel divisions sprung up among them. 4. That they had a very bad government under the lords proprietors, being almost without order, justice or discipline. 5. That at a certain time the pirates interrupted their trade and navigation. 6. That they have often had great droughts. 7. That a terrible fire consumed almost all Charleston. 8. That they have been at great expense in fortifications, public edifices, churches, etc. 9. That they have often sustained long wars with the French, Spaniards, and particularly with the Indians, who once united all together to destroy the whole province. 10. That, notwithstanding all these misfortunes, the people of Carolina, except those who gave themselves up to debauchery, are all rich, either in slaves, furniture, clothes, plate, jewels or other merchandise, but especially in cattle, which shows the goodness of the country they inhabit. The most part of those who came first thither were very poor and miserable; several of those who are most considerable went but as servants." [Force's Collections, vol. ii.]

1732. A royal charter granted on the 9th of June, 1732, by George II., for the colony of Georgia, contains the following passage:

"Whereas, we are credibly informed that many of our poor subjects are, through misfortune and want of employment, reduced to great necessity, insomuch as by their labor they are not able to provide a maintenance for themselves and families; and if they had means to defray their charges of passage and other expenses incident to new settlements, they would be glad to settle in any of our provinces in America, where, by cultivating the lands at present waste and desolate, they might not only gain a comfortable subsistence for themselves and families, but also strengthen

our colonies, and increase the trade, navigation and wealth of these our realms."

1732. The "Company of the Indies" relinquished their charter, and the government of Louisiana reverted to the crown of France.

1732. Ohio and Wabash rivers. "Some call both these rivers by the same name, and generally Wabache. But they ought to be distinguished, because the head of the Ohio comes more easterly, extending even to the government of New York, towards Virginia or Carolina, and among divers other large streams it receives the river Peresipi [Cumberland] on the south side, not far from the mouth of the Wabache, which said river of Peresipi is said to rise in the mountains of Virginia or Carolina." [Letter from James Logan to John Penn, dated 27th February, 1732; Hazard's Pennsylvania Register, iii. 211.]

1732. Some white settlements founded in the Shenendoah valley. The early white settlers of this valley were principally Germans, Irish and Scots. In 1732, Joist Hite, and others from Pennsylvania, founded a settlement near the present site of Winchester.

1732. By an order in council, of May 4, 1732, all governors of his majesty's plantations were prohibited from assenting to any laws whereby the inhabitants of such plantations would be placed on a more advantageous footing than those of Great Britain. [Mills' Colonial Constitutions, p. 50.]

1734. Robert Harper was the first settler at the place afterwards known as Harper's Ferry.

1734. November 2, certain copies of the "New York Weekly Journal," published by John Peter Zenger, ordered to be "burned by the hands of the common hangman, or whipper, near the pillory." Order issued at a council held at Fort George; present, governor and council. The order sets forth that the said papers contained "many things tending to sedition and faction, and to bring his majesty's government into contempt," etc. Mr. Zenger was arrested, imprisoned, bailed, tried and acquitted.

1734. A number of the French inhabitants about Detroit

reported to the governor-general of Canada that they "had not dared to undertake any clearings and establish farms, because they had no titles which could secure them the property thereof."

1735. The French founded a permanent settlement at Vincennes, on the Wabash, about this time.

1736. The statutes against witchcraft were repealed by the British Parliament.

1736. In 1736 John Wesley established a school of thirty or forty children at Savannah, in Georgia. Stevens' History of Georgia, i. 341, says that Mr. Wesley placed the school under the care of Mr. Delamotte, a man of good education, who endeavored to blend religious instruction with worldly learning; and, on Sunday afternoon, Wesley met them in church, before evening service, heard the children recite their catechism, questioned them as to what they had heard from the pulpit, instructed them still further in the Bible, endeavoring to fix the truth in their understandings, as well as their memories. This shows, says Stevens' History, that John Wesley, in the parish of Christ Church, Savannah, had established a Sunday school nearly fifty years before Robert Raikes originated his noble scheme.

A work entitled "A True and Historical Narrative of the Colony of Georgia, in America," printed in 1741, makes the following remarkable statement in relation to the Rev. John Wesley: "At last all persons of any consideration came to look upon him as a Roman Catholic."

1736. In 1736 the village of St. Joseph, south of Lake Michigan, contained about one hundred Pottawattamie warriors, ten Miami warriors, and eight Illinois Kaskaskias warriors. [Documentary History of New York, i. 21.]

1736. An expedition under the command of M. D'Artuguitte was defeated by the Chickasaw Indians. Among those who perished in this expedition was M. de Vincennes.

1738. An Indian council, held at Allegheny, Pennsylvania, March 15, 1738, determined to "spill all rum brought among them for the term of four years." [Pennsylvania Archives, i. 549.]

1738. "Before the year 1738, some pioneer cabins, erected near the Shawanee springs, formed the embryo of the town of Winchester, Virginia, long the frontier outpost of the colony. * * * The pioneer settlers of the Shenandoah valley were, principally, Germans, Irish and Scots." [Campbell's Virginia, 112, 113.]

1739. M. Longueil, from Canada, passed down the river Ohio, and visited Big Bone Lick, in Kentucky. [Collins.]

1740. Several Indian traders went from Virginia to trade with Indians residing on the borders of the Ohio and its tributaries. Among the Indian traders who went from the English colonies and visited the country west of the Allegheny mountains, between the years 1715 and 1740, were John Evans, Peter Cheever, Henry Devoy, Owen Nicholson, Alexander Magenty, Patrick Burns, George Hutchison, Barnaby Currin, John McQuire and a Mr. Frazer.

1741. At New York, in 1741, a time of great popular excitement prevailed on the subject of a supposed "negro plot." A large number of negroes and about twenty white persons were imprisoned in the course of a few months. Thirteen negroes were burned at the stake. [New American Cyclopedica, xii. 284.]

1741. The Indians at "Allegheny" sent to the governor of Pennsylvania a letter in which they made complaints about the large quantities of rum brought among them by traders. [Minutes of Provincial Council of Pennsylvania, iv. 502.]

1742. Count Zinzendorf, founder of the Christian sect called Moravians, visited Indian villages in Wyoming valley, Pennsylvania.

1742. Richmond, Virginia, founded.

1742. Lands granted by the Miami Indians for the use of the inhabitants of Vincennes.

1743. (?) Commons granted to the inhabitants of Kaskaskia by the governor-general of Louisiana.

1743. Peter Chartier, a half-blood Indian trader and interpreter, tried to engage the Shawanees in a war against the Six Nations. Chartier's creek, which enters the Ohio about three miles below Pittsburg, was named after this man. In 1745, Chartier accepted a commission under the French authorities of Canada, and dissolved his connection with the English of Pennsylvania. [Minutes of the Provincial Council of Pennsylvania, iv. 757.]

1743. Watson's Annals of Philadelphia, vol. ii. p. 109, says:

"At an election held in Lancaster county, Pennsylvania, in 1743, "to supply the vacancy of Thomas Linley, the Irish compelled the sheriff to receive such tickets as they approved, and to make a return accordingly. The Assembly cancelled or so far altered the returns as to give the seat to Samuel Blunston."

1744. A treaty held with the Six Nations, at Lancaster, Pennsylvania, in June, 1744. Witham Marshe, who was secretary of the Maryland commissioners at this treaty, gives the following description of the Indian traders of that period:

"The traders, for the most part, are as wild as some of the most savage Indians amongst whom they trade for skins, furs, etc., for certain kinds of European goods and strong liquors. They go back in the country, above three hundred miles from the white inhabitants. Here they live with the Indian hunters till they have disposed of their cargoes, and then, on horses, carry their skins, etc., to Philadelphia, where they are bought by the merchants there, and from thence exported to London. It is a very beneficial trade, though hazardous to their persons and lives; for the weather is so excessively cold where they trade, which is near the lakes of Canada, and their cabins so poorly made to defend themselves from the bitter winters, that they often perish; and, on the other hand, they are liable to the insults and savage fury of the drunken Indians by selling to them rum and other spirituous liquors." [Marshe's Journal; Collections of Massachusetts Historical Society for 1800, p. 184.]

1744. According to a document laid before the French government, there were three hundred white inhabitants in the district of Illinois.

1744. Hostilities commenced between the English and French colonies in America. Peace concluded at the treaty of Aix-la-Chapelle in 1748.

1747. Ensign Chevalier de La Peyrade was commandant of the post of the Ouatenons, on the Wabash; Sieur La Perriere Marin, commandant at the post on the river St. Joseph; and Sieur Dubuisson, commandant "at the Miamis." [Paris Documents.]

1748. Conrad Weiser, an Indian interpreter, in the service of Pennsylvania, was at Logstown, on the Ohio, in August.

1748. First treaty between the Miami Indians and the English was negotiated at Lancaster, Pennsylvania.

1748. An association called the "Ohio Company" was organized for the purpose of planting English settlements on the lands west of the Allegheny mountains. In 1749 the company received from George II. a grant of about half a million acres of land lying on and near the borders of the Ohio river. The company was also authorized to carry on a trade with the Western Indian tribes.

1749. St. Ange, "commandant at Post Vincene," granted a small lot of land to Baptiste Racine, July 3.

1749. The white population of the English colonies in America was estimated at about one million and fifty thousand. The white population of the French colonies in America was estimated at about fifty-two thousand.

1749. In a memorial, written by M. Le Bailly Messenger, dated December 17, 1749, it was proposed to establish, under the authority of France, a "central power on the Wabash." In this year a church was established at the site of Vincennes, by the Rev. S. L. Meurin. The records of the church commence on the 21st of April, 1749.

1749. A letter addressed to the governor of Pennsylvania, dated April 22, 1749, from Conrad Weiser, an Indian interpreter, contains the following words: "They [the Indians] tell me that above thirty families are settled upon the Indians' land this spring, and daily more goes to settle thereon; some have settled almost to

the heads of Joniada [Juniata] river, along the path that leads to Ohio." [Pennsylvania Archives.]

1749. In 1749 the British government offered lands on favorable conditions to all persons who would emigrate to Nova Scotia and settle in that province, viz: "Every soldier, sailor and workman was to have fifty acres of land for himself and ten for every person he carried over in his family. All non-commissioned officers were, eighty for themselves and fifteen for their wives and children; ensigns, two hundred; lieutenants, three hundred; captains, four hundred and sixty; and all other officers of a higher rank, six hundred, together with thirty for each of their dependents. The land was to be tax-free for the first ten years, and never to pay above two sols six deniers [about one shilling] for fifty acres. Besides this, the government engaged to advance or reimburse the expenses of passage, to build houses, to furnish all the necessary instruments for fishery or agriculture, and to defray the expenses of subsistence for the first year. These encouragements determined three thousand seven hundred and fifty persons to go to America in the month of May, 1749, rather than run the risk of starving in Europe." [Raynal; vide Dodsley's Annual Register for the year 1776.]

1749. Several English traders passed westwardly over the Allegheny mountains, to carry on a traffic with the Indians.

1749. The governor-general of Canada sent out an expedition under the command of Louis Celoron, for the purpose of exploring the country between Detroit and the Allegheny mountains, depositing medals with appropriate inscriptions at the mouths of the principal rivers and other important places, and thus taking formal possession of the country in the name of Louis XV. King of France. On the 16th of August, Celoron was at the mouth of the Muskingum river, and on the 18th of the same month he was at the mouth of the Great Kanawha.

1749. A small English trading post established on Great Miami river. (?)

1750. In 1750, Hugh Crawford, of Pennsylvania, was an Indian trader at a village on the Wabash river.

1750. "In the last six months of 1750 there were buried in Philadelphia, thirteen Swedes, twenty-six Presbyterians, nine Baptists, one hundred and four Quakers, twenty-eight Dutch Lutherans, thirty-nine Dutch Calvinists, fifteen Roman Catholics, sixty-four Church of England, forty-two negroes." [British Dominion in America, b. iii. p. 108.]

1750. Population of English colonies in America, 1,051,000. Population of Canada, 45,000. Population of Louisiana, 7,000.

1750. In April, 1750, Dr. Walker, of Virginia, visited the Shawanee river, and gave to it the name of Cumberland river.

1750. Considerable quantities of produce sent from Illinois to New Orleans. Forty vessels at New Orleans.

1750. The missionary Vivier, in a letter dated "Illinois, 17th of November, 1750," says: "We have three stations in this part of the world, one of Indians, one of French, and a third composed partly of Indians and partly of French. The first contains more than six hundred Illinois, all baptized, with the exception of five or six; but the fire-water, which is sold to them by the French, and especially by the soldiers, in spite of the reiterated prohibitions on the part of the king, and that which is sometimes distributed to them under pretext of maintaining them in our interest, has ruined that mission."

1751. Christopher Gist, in the service of the Ohio Company, passed over the Allegheny mountains and explored the country on the borders of the Ohio, to a point within fifteen miles of the falls of that river. Mr. Gist was instructed "to examine the quality of the lands, keep a journal of his adventures, draw as accurate plan of the country as his observation would permit, and report the same to the board of directors."

1751. Shawanee villages, on both sides of the Ohio river, just below the mouth of the Scioto. containing, aggregately, about three hundred men.

1751. Georgetown, now in the District of Columbia, founded.

1752. The following editorial announcement is taken from the

Philadelphia Weekly Mercury, of November 30, 1752. [Fillingham's Ten Thousand Wonderful Things, p. 249.]

"On Monday next the northern post sets out from New York, in order to perform his stage but once a fortnight during the winter quarter. The southern post changes also, which will cause this paper to come out Tuesdays during that time."

"The colds which have infested the northern colonies have also been troublesome here, few families having escaped the same. Several have been carried off by the cold, among whom was David Brintnall, in the seventy-seventh year of his age. He was the first man that had a brick house in the city of Philadelphia, and was esteemed for his just and upright dealing."

"There goes a report here that the Lord Baltimore and his lady are arrived in Maryland, but the southern post being not yet come in, the said report wants confirmation."

1752. On the 13th of June, at Logstown on the Ohio river, about eighteen miles below the confluence of the Allegheny and Monongahela rivers, Col. Fry and two other commissioners, on the part of Virginia, obtained a promise from some Indians that they would not "molest any settlements that might be made on the southeast side of the Ohio."

1752. About two hundred and forty Indians, under the command of two Frenchmen, captured and destroyed an English trading post at a Twightwee or Miami village on Loramie's creek, near the Great Miami river. Of the traders, one was killed and five were carried away as captives. Fourteen of the Twightwee or Miami Indians were killed, and the traders' goods were confiscated for trading in the country which the French claimed.

1753. George Henry, John Evans, James Devoy and Owen Nicholson, were taken prisoners by a number of Indians, with a Frenchman at their head, for trading in the country westward of the Ohio.

"During the Spanish and French war the Indian trade was very considerably enlarged by means of the Shawanees, Delawares and Six Nation Indians, who, from the quick increase of the English in the colonies, quitted their old places of residence for want

of game or corn, and removed to Allegheny. They were greatly encouraged by the Twightwees and other nations inhabiting beyond the Ohio, as they drew our traders after them. Croghan and others had stores on the Lake Erie, all along the Ohio from Bar, and other store-houses on the Lake Erie, all along the Miami river, and up and down all that fine country watered by the branches of the Miamis, Scioto and Muskingum rivers, and upon the Ohio from Bockaloons, an Indian town near its head, to below the mouth of the Miami river, an extent of five hundred miles, on one of the most beautiful rivers in the world. * * * They traded all along the rivers.”*

1753. George Washington was selected by Governor Dinwiddie, of Virginia, to be the bearer of an official letter to the commander of the French forces in the country claimed by Virginia, on the western side of the Allegheny mountains. The letter, which required the French forces to withdraw from that country, was delivered by Washington to M. Le Guarduer de St. Pierre, who was the commandant of a post on the western branch of French creek, and who refused to comply with the demand of the governor of Virginia. At this time the French were occupying military posts at Presq’ Isle, on Lake Erie, at Le Bœuf, on the western branch of French creek, and at Venango, on the Allegheny, at the mouth of French creek.(?) The following is a translation of the reply of the French officer to Governor Dinwiddie. It bears the date of December 15, 1753:

“As I have the honor to command here in chief, Mr. Washington delivered me the letter which you directed to the commandant of the French troops. I should have been pleased if you had given him orders, or if he himself had been disposed to visit Canada and our general, to whom, rather than to me, it properly appertains to demonstrate the reality of the king, my master’s, rights to lands situated along the Ohio, and to dispute the pretensions of the king of Great Britain in that respect.

“I shall immediately forward your letter to Monsieur Le Marquis Du Quesne. His answer will be law to me; and if he directs

*“This part of the MS. is much interlined and difficult to read.” [Pennsylvania Archives (1754), pp. 233-238.]

me to communicate it to you, I assure you, sir, I shall neglect nothing that may be necessary to convey it to you with expedition.

"As to the requisition you make (that I retire with the troops under my command), I can not believe myself under any obligation to submit to it. I am here in virtue of my general's orders; and I beg, sir, you would not doubt a moment of my fixed resolution to conform to them with all the exactitude and steadiness that might be expected from a better officer.

"I do not know that, in the course of this campaign, anything has passed that can be esteemed an act of hostility, or contrary to the treaties subsisting between the two crowns, the continuation of which is as interesting and pleasing to us as it can be to the English. If it had been agreeable to you, sir, in this respect, to have made a particular detail of the facts which occasion your complaint, I should have had the honor of answering you in the most explicit manner; and I am persuaded you would have had reason to be satisfied.

"I have taken particular care to receive Mr. Washington with all the distinction suitable to your dignity and to his quality and great merit. I flatter myself that he will do me this justice, and join with me in testifying the profound respect with which I am,

"Sir, your most humble and most obedient servant,

"LE GARDEUR DE ST. PIERRE."

[Collections of the Massachusetts Historical Society for the year 1800, p. 71.]

1753. The General Assembly of Virginia passed an act for the encouragement of settlers on the waters of the Mississippi.

1753. The Miami Indians sent deputies to Canada to hold councils with the French authorities.

1753. William Zane and several members of his family, who resided on the south branch of the Potomac river, were carried off as prisoners by the Indians.

By order of Governor Dinwiddie one thousand acres of land were ordered to be laid off, contiguous to the fort to be built at the "fork of the Ohio." These lands were set apart for the use

of the soldiers on duty at the fort, and were to be called the "garrison lands."

Dinwiddie, also, by proclamation, granted two hundred thousand acres of land on the Ohio river, to be divided among the soldiers who should engage in the proposed expedition against the French and Indians, about the head waters of the Ohio. Proclamation was sanctioned by the king. [Washington's Writings, i. 40.]

1754. Dr. Benjamin Franklin proposed a plan for establishing English colonies in the country northwest of the Ohio river. He proposed to plant one colony in the valley of the river Scioto, and to erect small fortifications at Buffalo creek, on the Ohio; at the mouth of Tioga, on the south side of Lake Erie; at Hockhocking; and at or near the mouth of the river Wabash. He also advised that the French post at Sandusky, and "all the little French forts south and west of the lakes quite to the Mississippi be removed or taken and garrisoned by the English." "Every fort," he said, "should have a small settlement around it, as the fort would protect the settlers and the settlers defend the fort and supply it with provisions." [Franklin's Writings, iii. 70.]

1754. War broke out between England and France, and lasted until 1763.

1754. In 1754, Conrad Weiser, an Indian interpreter, in the service of Pennsylvania, said: "The Shawanees and Delawares removed from Pennsylvania above thirty years ago," to the country lying about the head waters of the river Ohio.

1754. M. Contrecoeur, a French officer, with about one thousand men and eighteen pieces of cannon, passed down the Allegheny river from Venango, and, on the 17th of April, took possession of the point of land formed by the junction of the Monongahela and Ohio rivers, where Fort Du Quesne was completed in the month of April. A small detachment of Virginia militia, about forty men, under the command of Captain Trent, and a few men in the service of the Ohio Company, were permitted to retire from the point on the arrival of the French forces. (?)

1754. In the spring Col. Joshua Fry and Major George Wash-

ington received orders from the governor of Virginia to march, with a force consisting of about two hundred men, to the point at the confluence of the Monongahela and Allegheny rivers and there to complete a fort which the Ohio Company had begun to build.

1754. In an official document, Governor Morris, of Pennsylvania, said: "The French are making a settlement of three hundred families in the country of the Twightwees" [Miamis].

1754. A small detachment of soldiers sent out from Fort Du Quesne was attacked and defeated by a detachment of the forces under Washington, at the Little Meadows, on the 28th of May. The loss of the French amounted to eleven killed and twenty-two captured, one of whom was wounded. The commander of the French detachment, the Sieur de Jumonville, was among the slain. He bore a summons to Washington, requiring him to retire, but Washington did not know this fact at the time of the attack. The Virginians lost one killed and two or three wounded.

1754. On the first of July, at the Great Meadows, Washington began to fortify a rude post, which he called Fort Necessity. This place, after a gallant defense, was surrendered on the 4th of July, on terms which were proposed to Washington by the French commander, De Villiers.

1754. About the close of the year 1754, there were seventeen small French posts in the region northwest of the river Ohio.

1755. Copy of a letter to the governor of the province of Pennsylvania dated,

"FORT LOUTHER, June 6, 1755.

"SIR:—Captain Jack has promised his aid in the contemplated attack on Fort Du Quesne. He will march with his 'Hunters,' by a circuitous route and join Braddock. He and his men are dressed in hunting shirts, moccasins, etc., are well armed, and are equally regardless of heat and cold. They require no shelter for the night. They ask no pay. If the whole army was composed of such men there would be no cause for apprehension. I shall be with them in time for duty. Yours, etc.,

GEORGE CROGHAN."

Captain Jack was a white man whose wife and children had

been murdered by Indians, after which event he abandoned the pursuits of civilized life, gathered around him a few followers, and made his name famous as an enemy of Indians.

1755. General Edward Braddock, with a force consisting of two regiments of British regulars, and about one thousand colonial troops, was surprised and defeated by the French and Indians, on the 9th of July, near the banks of the Monongahela river, at a place about eight miles distant from Fort Du Quesne. Braddock was mortally wounded, and died on the 13th of July. The whole number of British officers in the engagement was eighty-six, of whom twenty-six were killed and thirty-seven wounded. The loss of private soldiers, killed and wounded, amounted to seven hundred and fourteen. The French loss amounted to about seventy, killed and wounded. Braddock's road over the Allegheny mountains was made, as a general rule, at least twenty feet wide, but only fifteen feet wide in very difficult places.

1755. Prices offered in Braddock's campaign against Fort Du Quesne: "Each wagon with four good horses and a driver, fifteen shillings per day; each able horse with a pack-saddle, two shillings per day; each horse without a saddle, eighteen pence per day." [Advertisement signed by B. Franklin.]

Braddock's Field lies "on the east side of the Monongahela river, half a mile below the mouth of Turtle creek, and by the course of the river twelve miles above Pittsburg, but only eight miles from the city by a direct line across the country. The Monongahela here runs nearly due north, and Turtle creek enters the river from the southeast, forming below the junction of the two streams an obtuse angle of about one hundred and twenty-five degrees. This is 'Braddock's Field.' The general level of the country is about three hundred and fifty feet above the Monongahela and Turtle creek, and the abrasion of the waters has worn away the earth, in the course of ages, to their present bed; consequently a person floating on the river sees it skirted on either side with apparent mountains, whilst one standing on the top of either of these supposed mountains sees the river and creek flowing beneath him in real valleys." * * * "The hills never rise perpendicularly and rarely abruptly from the margin of the river;

but generally along the Monongahela, as on the Ohio, there is a middle tract of plain or flat land extending from one hundred yards to a quarter of a mile in width. This is called the 'first bottom,' and is always composed of a soft pebble mould of exuberant fertility, and usually raised thirty feet above low water mark. Beyond the bottom is a gentle elevation, fifty or sixty feet in height and of an average width equal to the first bottom, with a slight inclination toward the river. This is called the 'second bottom,' and is composed of firm clay soil covered with mould, but of sufficient firmness to form good roads. Beyond this 'second bottom' rise the hills by an abrupt and often precipitous ascent to the higher plain or upland of this region." [Hazard's Register of Pennsylvania, vol. 16, p. 97.]

1755. The French inhabitants of Nova Scotia, who were called Acadians, were forcibly removed from their settlements.

1755. A letter written at Easton, and dated December 25, 1755, says: "The country all above this town for fifty miles is mostly evacuated and ruined. The people have mostly fled into the Jerseys. * * *. The enemy made but few prisoners, murdering almost all that fell into their hands, of all ages and both sexes." [Proceedings of the New Jersey Historical Society, vol. v. No. 2.]

1755. The French built a small fort at Prairie du Chien.

1756. Fort Chartres, near Kaskaskia, transformed into a strong fortification. (?)

1756. A force consisting of Pennsylvania militia, under the command of Lieutenant Colonel John Armstrong, made an attack, in September, (?) on Kittanning, an Indian village on the Allegheny river. About thirty cabins were burned and a small number of Indians were killed.

1756. The following extract is copied from "Instructions of B. Franklin to Capt. John Vanetta," dated "at Bethlehem, in the county of Northampton, January 12, 1756": "You are to proceed immediately to raise a company of foot, consisting of thirty able men," etc. "You are to acquaint the men that if in their ranging they meet with, or are at any time attacked by the enemy, and kill

any of them, forty dollars will be allowed and paid by the government for each scalp of an Indian enemy so killed, the same being produced with proper attestations." [Pennsylvania Archives.]

1756. After Braddock's defeat, Benjamin Franklin, who subsequently won distinction as a patriot, philosopher and statesman, was sent by the authorities of Pennsylvania to establish a line of forts in the northwestern parts of that province. He says: "I had but little difficulty in raising men, having soon five hundred and sixty under my command. My son, who had seen service, was my aid-de-camp, and of great value to me. The Indians had burned Gnadenhutten, a village settled by the Moravians, and massacred the inhabitants. It was January, 1756, when we set out upon this business of building forts. We had not marched many miles before it began to rain and continued all day. There were no inhabitants on the road till we arrived, at night, at a German's house, where, and in his barn, we were all huddled together as wet as water could make us. It was well we were not attacked, for our arms were of the most ordinary sort, and our men could not keep the locks dry. The Indians are dexterous in contrivances for that purpose, for they met that day eleven farmers, and killed ten of them; the one that escaped, told us that the guns would not go off, the priming being wet.

"At Gnadenhutten we huddled ourselves and commenced burying the dead. Next morning our fort (Fort Allen) was planned, and was finished in a week. However contemptible, it was a sufficient defense against Indians without cannon. We met no Indians, but found the places where they lay to watch us. There was an art in their contrivances worth mentioning. It being winter, fire was necessary for them, but a common fire would have betrayed by its light and smoke; they had, therefore, dug holes, about three feet in diameter and somewhat deeper. We found where they had, with their hatchets, cut off the charcoal from the sides of burnt logs, lying in the woods. With these coals they had made small fires in the bottom of the holes, and we observed among the weeds and grass, the prints of their bodies made by their lying all round with their legs hanging down in the holes to keep their feet dry and warm, which, with them, is an essential point.

This kind of fire could not reveal them by its light, flame, sparks, or even smoke.

“We had for our chaplain, a zealous Presbyterian minister, Mr. Beatty, who complained to me that the men would not attend his prayers and exhortations. I had observed that they were punctual at their rum rations, half a gill morning and evening, upon which I said: ‘It is, perhaps, below the dignity of your profession to act as steward of the rum, but if you were to distribute it only just after prayers, you would have them all about you.’ He liked the thought, undertook the task, and never were prayers more generally or punctually attended.” [McKnight’s *Western Border*, p. 236.]

1757. Extract of a letter from Edmund Atkin, Esq., king’s superintendent of Indian affairs in the southern district, to Governor Horatio Sharpe, of Maryland, dated

“WINCHESTER, 30th June, 1757.

“It remains only for me to say something concerning scalps. I find several of our colonies are become fond of giving large rewards for them. If these rewards were confined to their own people it would be a very laudable thing, inasmuch as it would be the means of animating many poor white men, who have been used to the woods, to go in quest of the enemy Indians, and it would afford that support to some of them, in particular, who have been driven from their own habitations in the back settlements by the war, which they are certainly best entitled to. But as those rewards are intended and offered chiefly to Indians, the case is very different.” * * * “It is encouraging to the utmost private scalping, whereby the most innocent and helpless persons, even women and children, are purposely murdered, without the least benefit accruing by it—actions only becoming the greatest savages and unworthy of any Christian people to reward.” * * * “But to speak upon this subject on the footing of interest, large public rewards for scalps given by provincial laws to Indians are attended with very pernicious consequences to his majesty’s service, for they are so many temptations to some Indians to kill others that are our friends, that is, when they think they have a good opportunity to kill such single Indians that are found alone. Two fresh in-

stances of this have presented themselves to me. A single Chickasaw (one of our best friends) who was coming up this way with the Cherokees, was killed by them when asleep, and a single Creek in their company had like to have shared the same fate. As no cause of quarrel is pretended, the motive could only be in their scalps. Those Cherokees carried the Chickasaw's scalp with them out to war towards Fort Du Quesne and brought it back again, and it is now hanging exposed in public before my eyes, made into two scalps, among the scalps of their enemies, though they know not that I know it." * * *

"I think what I have said sufficiently proves the pernicious consequences to his majesty's service (wherein the general interest of the colonies is included) flowing from large rewards for scalps given by provincial laws to the Indians. And further, those rewards open a door to great fraud and imposition upon the colonies or the donors themselves; for the Cherokees, in particular, have got the art of making four scalps out of one man killed. Here are now twenty scalps hanging out to public view, which are well known to have been made out of five Frenchmen killed. What a sum (at fifty pounds each) would they produce if carried to Maryland, where the artifice would not probably be discovered. For these reasons I have declared to the Indians I have met here that I do not buy scalps." [Pennsylvania Archives, 1757, pp. 199, 200.]

1758. Major Grant, with a force of about eight hundred men, was defeated by French and Indians, in the vicinity of Fort Du Quesne, September [21?]. Loss of the English, about two hundred and ninety-five killed or captured. Grant was among the latter. The court house at Pittsburg now stands on an elevation which was formerly called "Grant's Hill."

1758. Fort Ligonier, built at Loyal Hannon (or Loyal Henning?), in Pennsylvania, by General Forbes.

1758. November 25, the English forces, under the command of General John Forbes, take possession of Fort Du Quesne, which had been dismantled and abandoned by the French on the approach of Forbes' army. The fortifications were hastily repaired, and garrisoned by four hundred men, chiefly militia from Pennsyl-

vania, Virginia and Maryland, under the command of Colonel Mercer. The name of the post was changed to Fort Pitt.

1758. The French established a small post on the right bank of the Ohio river, at a point about eight miles above the mouth of the Tennessee river. M. Massac was the first commandant of the post.

1758. The Moravian missionary, Christian Frederick Post, who visited the Indians residing about the head waters of the Ohio river, says in his journal: "All Indians are excessively fond of rum, and will be drunk whenever they can get it."

1759. In the summer of 1759 it was reported that a large force, composed of French and Indians, were at Venango, making preparations to attack Fort Pitt. It is said that a Monsieur D'Aubray had brought from Kaskaskia to Venango about four hundred men and two hundred thousand pounds of flour. "Cut off from the route of the Ohio (or Allegheny) by the abandonment of Fort Du Quesne, he proceeded with his force down the Mississippi and up the Ohio to the Wabash; thence up that river to the portage at Fort Miami, * * * and carried his stores over to the Maumee, passed down that river and along the shore of Lake Erie to Presque Isle, and carried to the portage to La Bœuf, thence descended French creek to Venango." [Egle's Pennsylvania, 1225.]

1759. In August Colonel J. Burd was sent by Colonel Boquet (then in command at Carlisle, Pennsylvania) to "cut a road somewhere from General Braddock's road" to the mouth of Redstone creek, where it empties itself into the river Monongahela, and to erect a fort at that point. Colonel Burd was engaged in the work of building a fort at Redstone creek in the middle of September, 1759.

1759. General John Forbes died at Philadelphia.

1759. In September Quebec, the stronghold of the French in Canada, was taken by the English forces under Generals Wolfe, Monckton and Townshend.

1759. Extract from an advertisement for wagons, published in Philadelphia, May 4, 1759, by Brigadier-General John Stanwix:

"Each wagon to load at the grand magazine, at Carlisle; and for every gross hundred weight carried from thence to Pittsburg (formerly Fort Du Quesne), to receive forty-two shillings and six pence." "The wagons entering the service to be appraised and paid for, if taken or destroyed by the enemy." "Provender for the horses to be provided by the owner." "Each wagon to be fitted in the following manner, viz: with four good, strong horses, properly harnessed; the wagons to be complete in everything, large and strong, having a drag-chain eleven feet in length, with a hook at each end, a knife for cutting grass, falling ax and shovel, two sets of clouts, and five sets of nails, an iron hoop to the end of every axletree, a linen mangle, a two gallon keg of tar and oil mixed together, a slip bell, hobbles, two sets of shoes and four sets of shoe nails for each horse, eight sets of spare hames and five sets of hame strings, a bag to receive their provisions, a spare set of linch-pins, and a hand screw for every three wagons. The drivers to be able-bodied men." "The drivers to be furnished with provisions as the king's troops." And "each wagon to be provided with forage." [Pennsylvania Archives.]

1760. In the course of this year Montreal, Detroit, Mackinaw, and all other posts within the government of Canada, were surrendered to the English, on condition that the French inhabitants should, during the war, be "protected in the free exercise of their religion and the full enjoyment of their civil rights, leaving their future destinies to be decided by the treaty of peace."

1760. A small town, called Pittsburg, was built near Fort Pitt, and about two hundred families resided in it; but, upon the Indian war breaking out in 1763, they abandoned their houses and retired into the fort." [Hutchins' Topographical Description of Pennsylvania.]

1760. A coal mine was opened on the banks of the Monongahela, opposite to Fort Pitt, for the use of the garrison.

1760. The old Mingo town, on the right bank of the Ohio river, about seventy-five miles below Fort Pitt, contained about sixty Indian families.

1761. "A return of the number of houses, of the names of owners and number of men, women and children in each house.

"FORT PITT, April 14, 1761."									
Total number of inhabitants,	-	-	-	-	-	-	-	-	233
Soldiers and officers, with their families,	-	-	-	-	-	-	-	-	95
Houses,	-	-	-	-	-	-	-	-	104

[Egle's Pennsylvania, 321.]

1761. William Jacob settled at the mouth of Redstone creek, but was obliged to leave that place in 1763, on account of Indian hostilities.

1762. The Moravian missionaries Post and Heckewelder begin to make efforts to establish a mission among the Indians on the Muskingum river.

1762. November 4th to 13th, by a secret convention, France ceded to Spain all that part of Louisiana which was situated on the western side of the Mississippi, to be delivered whenever Spain should be ready to receive it. But this was not announced to the inhabitants of Louisiana till April 21, 1764; nor did Spain receive possession till the 17th of August, 1769. [9 Raynal, 222-235. (?)]

1762. King Beaver, a noted Delaware chief, lived at Tuscarawas, on the Muskingum. (?)

1763. Definitive treaty of peace concluded between England and France, at Paris, February 10. Nova Scotia, Canada, and all the French possessions northwest of the Ohio and east of the Mississippi, were ceded to Great Britain.

1763. Early in 1763 a powerful Indian confederacy was organized, mainly by the efforts of the celebrated chief Pontiac, for the purpose of subduing the English power at all posts and places in the regions lying westward of the Allegheny mountains. The Indians who formed this confederacy were Ottowas, Chippewas, Pottawatamies, Sacs, Foxes, Menominies, Miamis, Shawanees, Wyandots, and branches of some other tribes. The Indians, without much opposition, took possession of the posts at Mackinaw, Green Bay, St. Joseph, Ouatennon, Miamis, Sandusky, Presque Isle, Leboeuf and Venango. With the exception of Mackinaw, there were only slight fortifications at these places, which were trading

posts, and not regular military establishments. A small number of English traders were killed at these posts. The garrisons at Detroit and Fort Pitt were successful in resisting the attacks of the Indians, who, nevertheless, carried on a barbarous warfare against the settlers on the western frontiers of New York, Pennsylvania and Virginia, until the fall of the year 1764.

1763. On the 4th of June, a large party of Indians, by strategy, took possession of the English military post at Mackinaw, killed and scalped about seventy soldiers, and saved the lives of about twenty persons, among whom there were a few Indian traders.

1763. In July, 1763, a number of Delaware Indians and a few Shawanees, Wyandots and Mingoes, assembled at Fort Pitt, and the Delawares and Shawanees, in the name of the northwestern tribes, summoned Captain Ecuyer to retire with his soldiers from the country lying on the western side of the Allegheny mountains. In his reply to the demands of the Indians, Captain Ecuyer, who had about three hundred and thirty men under his command, said: "You suffered the French to settle in the heart of your country; why should you turn us out of it now? I will not abandon this post. I have warriors, provisions and ammunition in plenty to defend it three years against all the Indians in the woods. Go home to your towns, and take care of your women and children." [Capt. Ecuyer's Answer. Bancroft, v. 128, 129.]

1763. The Indians maintained a close siege against the English garrison at Detroit, from May till the month of August, when many of them retired to their villages. A small number of English soldiers (19) were killed in a skirmish near Detroit, on the 31st of July.

1763. In an official letter of August 10, 1763, General Amherst says: "I have thought proper to promise a reward of one hundred pounds to the man who shall kill Pontiac, the chief of the Ottawas," etc. "Take no prisoners," said Amherst, in the same letter, "but put to death all that fall into your hands of the nations who have so unjustly and cruelly committed depredations."

1763. By the twentieth article of the definitive treaty con-

cluded between the kings of Great Britain, France and Spain, on the 10th of February, 1763, Spain "ceded and guaranteed, in full right, to his Britannic majesty, Florida, with Fort St. Augustin and the bay of Pensacola, as well as all that Spain possessed on the continent of North America, to the east or to the southeast of the river Mississippi."

The following extracts are copied from an ordinance issued by George III. in reference to granting lands to settlers in Florida:

Whereas, nothing can more effectually tend to the speedy settling our said colony, the security of the property of our subjects and the advancement of our revenue, than the disposal of such lands as are our property, upon reasonable terms, and the establishing a regular and proper method of proceeding, with respect to the passing grants of such lands; it is, therefore, our will and pleasure that all and every person and persons, who shall apply to you for any grant or grants of land, shall, previous to their obtaining the same, make it appear before you in council that they are in a condition to cultivate and improve the same by settling thereon, in proportion to the quantity of acres desired, a sufficient number of white persons and negroes. And whereas, great inconveniences have arisen in many of our colonies in America, from the granting excessive quantities of land to particular persons, who have never cultivated or settled it, and have thereby prevented others more industrious from improving the same; in order, therefore, to prevent the like inconveniences for the future, you are to take especial care that in all grants to be made by you, by and with the advice of our council, to persons applying for the same, the quantity be in proportion to their ability to cultivate; and you are hereby directed to observe the following directions and regulations in all grants to be made by you, viz: That one hundred acres of land be granted to every person, being master or mistress of a family, for himself or herself, and fifty acres for every white or black man, woman or child of which such person's family shall consist at the actual time of making the grant; and in case any person applying to you for grants of lands shall be desirous of taking up a larger quantity than the actual number of persons in his or her family would entitle such person to take up, it is our

will and pleasure, and you are hereby allowed and permitted to grant unto every such person or persons such further quantity of land as they may desire, not exceeding one thousand acres, over and above what they are entitled to by the number of persons in their respective families: Provided, it shall appear to you that they are in a condition and intention to cultivate the same: And provided also that they do pay to the receiver of our quit-rents, or to such other officer as shall be appointed to receive the same, the sum of five shillings only for every fifty acres so granted, on the day of the date of the grant.

That every grantee, upon giving proof that he or she has fulfilled the terms and conditions of his or her grant, shall be entitled to another grant, in proportion and upon the conditions above mentioned.

That, for every fifty acres of lands accounted plantable, each patentee shall be obliged, within three years after the date of his patent, to clear and work three acres at least in that part of his tract which he shall judge most convenient and advantageous, or else to clear and drain three acres of swampy or sunken grounds, or drain three acres of marsh, if any such be within the bounds of his grant.

That, for every fifty acres of land accounted barren, every patentee shall be obliged, within three years after the date of his grant, to put and keep on his land three neat cattle, which number he shall be obliged to continue on his land until three acres of every fifty be fully cleared and improved.

That, if any person shall take up a tract of land wherein there shall be no part fit for present cultivation, without manuring and improving the same, every such grantee shall be obliged, within three years from the date of his grant, to erect, on some part of his land, one good dwelling-house, to contain at least twenty feet in length and sixteen feet in breadth, and also to put on his land the like number of three neat head of cattle for every fifty acres.

That, if any person who shall take up any stony or rocky grounds, not fit for culture or pasture, shall, within three years after the passing of his grant, begin to employ thereon, and so to continue for three years next ensuing, in digging any stone quarry or mine, one good and able hand for every hundred acres of such

tract, it shall be accounted a sufficient cultivation and improvement.

That every three acres that shall be cleared and worked as aforesaid, and every three acres which shall be cleared and drained as aforesaid, shall be accounted a sufficient seating, planting, cultivation and improvement, to save forever from forfeiture fifty acres of land in any part of the tract contained within the said patent; and the patentee shall be at liberty to withdraw his stock or to forbear working in any quarry or mine in proportion to such cultivation and improvement as shall be made upon the plantable lands or upon the swampy and sunken grounds and marshes which shall be included in the same patent.

That when any person, who shall hereafter take up and patent any land, shall have seated, planted, and cultivated or improved the said land, or any part of it, according to the directions and conditions above-mentioned, such patentee may make proof of such seating, planting, cultivation and improvement, in the general court or in the court of the county, district or precinct where such land shall lie, and have such proof certified to the register's office, and there entered with the record of the said patent, a copy of which shall be admitted on any trial to prove the seating and planting such land.

And, lastly, in order to ascertain the quantity of plantable and barren land contained in each grant hereafter to be made within our said province, you are to take care that in all surveys hereafter to be made every surveyor be required and enjoined to take particular notice, according to the best of his judgment and understanding, how much of the land surveyed is plantable, and how much of it barren and unfit for cultivation, and, accordingly, to insert in the survey and plat, by him to be returned into the register's office, the true quantity of each kind of land. And it is our further will and pleasure that in all grants of land to be made by you, as aforesaid, regard be had to the profitable and unprofitable acres, so that each grantee may have a proportionable number of one sort and the other; as, likewise, that the breadth of each tract of land to be hereafter granted be one-third of the length of such tract, and that the length of each tract do not extend along the banks of any river, but into the mainland; that, thereby, the said

grantees may have each a convenient share of what accomodation the said river may afford for navigation or otherwise. And it is our will and pleasure, that in every grant of land within our said province, to be hereafter made by you, you take especial care that a clause be inserted reserving to us, our heirs and successors, a quit-rent of one half-penny sterling per acre, payable at the feast of St. Michael, every year, the first payment to commence on the said feast of St. Michael which shall first happen at the expiration of two years from the date of the grant, and to be payable on every ensuing feast of St. Michael, or within fourteen days after.

Entered at Pensacola, November 3, 1765. [Land Laws of the United States, p. 960.]

In 1783 England retroceded Florida to Spain.

1763. August 5th and 6th, Indians defeated by Col. Boquet at Bushy Run, west of Ligonier, in Pennsylvania. Col. Boquet, with about five hundred men, was on a march from Carlisle to the relief of Fort Pitt. The loss of the Americans was fifty killed, sixty wounded and five missing.

1763. Mason and Dixon commence the survey of a boundary line between the colonies of Pennsylvania and Maryland.

1763. Proclamation of the king concerning lands, settlements and the boundaries of English provinces and colonies in America. The proclamation prohibited the settlement of British subjects on lands lying westward of the Allegheny mountains.

1763. The site of St. Louis selected by Pierre Liguette Laclede for a trading post. According to some authorities the selection was not made until the 15th of February, 1764.

1764. General Bradstreet, with a force of about three thousand men, marched on an expedition against the Wyandots, Ottawas, Chippewas and other Indian tribes living near the borders of the lakes Erie, Huron and Michigan. The Indians met him with overtures of peace, before and after his arrival at Detroit.

1764. Col. Henry Boquet, with a force amounting to about fifteen hundred men, marched from Fort Pitt in the month of October, to attack the Delawares, Shawanees and other hostile

tribes who inhabited the country northwest of the Ohio. When Col. Boquet arrived at the forks of the Muskingum river the Delawares, Shawanees and other tribes made entreaties for peace, and delivered up two hundred and six white prisoners, eighty-one males and one hundred and twenty-five females. From this period until the year 1774 the Indians waged no warfare against the western frontier settlers of the English colonies.

1764. General Thomas Gage, commander-in-chief of the British forces in North America, issued a proclamation concerning the French inhabitants of "the country of the Illinois." The following is a copy of the proclamation :

"By his excellency, Thomas Gage, major-general of the king's armies, colonel of the 22d regiment, general commanding in chief all the forces of his majesty in North America, etc., etc.

"Whereas, by the peace concluded at Paris on the 10th of February, 1763, the country of the Illinois has been ceded to his Britannic majesty, and the taking possession of the said country of the Illinois by the troops, though delayed, has been determined upon, we have found it good to make known to the inhabitants that his majesty grants to the inhabitants of the Illinois the liberty of the Catholic religion, as it has already been granted to his subjects in Canada ; he has consequently given the most precise and effective orders, to the end that his new Roman Catholic subjects of the Illinois may exercise the worship of their religion according to the rites of the Roman church, in the same manner as in Canada.

"That his majesty, moreover, agrees that the French inhabitants, or others who have been subjects of the most Christian king, may retire in full safety and freedom, wherever they please, even to New Orleans, or any other part of Louisiana, although it should happen that the Spaniards take possession of it in the name of his Catholic majesty ; and they may sell their estates, provided it be to subjects of his majesty, and transport their effects as well as their persons, without restraint upon their emigration, under any pretense whatever, except in consequence of debts or of criminal process.

"That those who choose to retain their lands and become subjects of his majesty shall enjoy the same rights and privileges, the

same security for their persons and effects, and liberty of trade, as the old subjects of the king.

“That they are commanded, by these presents, to take the oath of fidelity and obedience to his majesty, in presence of *Sieur Sterling*, captain of the Highland regiment, the bearer hereof, and furnished with our full powers for this purpose.

“That we recommend forcibly to the inhabitants to conduct themselves like good and faithful subjects, avoiding, by a wise and prudent demeanor, all cause of complaint against them.

“That they act in concert with his majesty’s officers, so that his troops may take peaceable possession of all the posts, and order be kept in the country. By this means alone they will spare his majesty the necessity of recurring to force of arms, and will find themselves saved from the scourge of a bloody war, and all the evils which the march of an army into their country would draw after it.

“We direct that these presents be read, published and posted up in the usual places.

“Done and given at head-quarters, New York. Signed with our hand, sealed with our seal at arms, and countersigned by our secretary, this 30th December, 1764.

“By His Excellency,
G. MATURIN.”

THOMAS GAGE. [L. S.]

1764. Captain *St. Ange*, on leaving *Post Vincennes*, appointed *Mr. Deroite de Richarville* and *Mr. De Caindre* to superintend the public affairs of the place, and to maintain good order among the French inhabitants and also among the Indians. *St. Ange*’s instructions to the appointees contain the following passages:

“Their first care ought to be to maintain a good understanding between the French and the Indians, and to check any beginning of disorder as soon as possible. Whenever complaint shall be made to them against any person, they shall select a tribunal composed of the principal inhabitants of the place, and the matters [in dispute] shall be decided by a plurality of votes. *Messrs. Deroit de Richarville* and *De Caindre* can not too earnestly require the inhabitants to maintain their fences, it being the interest of the public that [domestic] animals shall not be allowed to pass from

the commons into the cultivated fields. They will prevent, as much as they can, the disorders which are too often occasioned by intoxicating liquors. Whenever any information interesting to the public service shall come to their knowledge, they will apprise me of it. In conclusion, in all cases which I can not foresee, I depend on their good conduct and their regard for the public welfare. Given at Post Vincennes, on the 18th of May, 1764.

“ST. ANGE.”

[Translated from the original, preserved among the papers of Charles B. Lasselle, Esq.]

1764. In 1764 occurred the terrible massacre of Conestoga Indians in the workhouse of Lancaster, Pennsylvania, where they were placed for security. A company of fifty men, from Paxtang, with blackened faces, armed and mounted, entered the town at full gallop, went to the workhouse and effected their cruel purpose. They had before, on the 14th of December, 1763, destroyed the town of Conestoga Manor, murdered six of the Indians, three men, two women and a young boy, and burned the place.

On the 27th of December, 1763, the Rev. Mr. Elder wrote to Governor Penn a letter, from which the following is an extract:

“The storm, which had been so long gathering, has at length exploded. Had government removed the Indians from Conestoga, as was frequently urged without success, this painful catastrophe might have been avoided. What could I do with men heated to madness? All that I could do was done. I expostulated, but life and reason were set at defiance; and yet the men, in private life, were virtuous and respectable—not cruel, but mild and merciful. * * * The time will arrive when each palliating circumstance will be calmly weighed. This deed, magnified into the blackest of crimes, shall be considered one of those youthful ebullitions of wrath caused by momentary excitement, to which human infirmity is subjected.” [Egle’s *Pennsylvania*, p. 113; Franklin’s *Works*, iv. 59; Watson’s *Annals of Philadelphia*.]

1764. Instructions from Lieutenant-Governor John Penn to James Young, paymaster, etc., dated Philadelphia, June 28, 1764, contain the following passage:

“You will acquaint the captains that every soldier will be al-

lowed three shillings per month who brings with him a strong dog that shall be judged proper to be employed in discovering and pursuing the savages. It is recommended to them to procure as many as they can, not exceeding ten per company. Each dog to be kept tied and led by his owner." [Pennsylvania Archives.]

1764. The house of burgesses in Virginia appointed a committee to prepare an address to the king and parliament, expressing their sense of the destructive consequences of such a measure (Stamp Act). The assembly of New York also sent petitions, which, in a spirit more bold and decided than those from any other colony, asserted their own rights, and the limitations of British power. [History U. S.]

Captain Carver, who wrote in 1765, says:

"At this business (scalping) the Indians are exceedingly expert. They seize the head of the disabled or dead enemy, and placing one of their feet on the neck, twist their left hand in the hair. By this means, having extended the skin that covers the top of the head, they draw out their scalping-knives, which are always kept in good order for this cruel purpose, and with a few dexterous strokes take off the part that is termed the scalp. They are so expeditious in doing this that the whole time required scarcely exceeds a minute." [Carver's Travels, 213.]

1765. The English take possession of "the Illinois country" early in October. (?) Fort Chartres was evacuated by a small detachment of soldiers, twenty men, under the command of M. de St. Ange. They moved to St. Louis; and Captain Stirling, having under his command about one hundred men, a part of the forty-second regiment, took possession of Fort Chartres.

1765. The stamp act, passed by the English Parliament, went into force on the 1st of November, 1765. It was repealed by an act of March 6, 1766.

1765. Colonel George Croghan, an Indian agent, of the province of Pennsylvania, passed down the Ohio river, went to Vincennes, and afterwards visited the principal Indian villages on the

borders of the Wabash river. Colonel Croghan made the following statement in reference to certain Indian tribes:

Twightwees [Miamis], two hundred and fifty fighting men, reside on the Miami river, near Fort Miami; hunting ground where they reside.

a Wayoughtanies, three hundred fighting men; *a* Pyanke-shas, three hundred fighting men; *a* Shockays, two hundred fighting men; reside on the branches of the Ouabache, near Fort Ouitanon; hunting grounds between Ouitanon and the Miamis.

* Huskhuskeys, three hundred fighting men; * Illinois, three hundred fighting men; reside near the French settlements in the Illinois country; hunting grounds about Lake Erie.

|| Wayandotts, two hundred and fifty fighting men; || Ottawas, four hundred fighting men; || Putawatimes, one hundred and fifty fighting men; reside near Fort Detroit.

|| Chippawas, two hundred fighting men; || Ottawas, two hundred fighting men; reside on Saganna creek, which empties into Lake Huron; hunting grounds thereabouts.

|| Chippawas, four hundred fighting men; || Ottawas, two hundred and sixty fighting men; reside near Michilimacinac; hunting grounds on the north side of Lake Huron.

|| Chippawas, four hundred fighting men; reside near the entrance of Lake Superior, and not far from Fort St. Mary's.

|| Chippawas, || Mynonamies, || Shockays, five hundred and fifty fighting men; reside near Fort Labay, on Lake Michigan; hunting grounds thereabouts.

|| Putawatimes, one hundred and fifty fighting men; || Ottawas, one hundred and fifty fighting men; reside near St. Joseph's; hunting grounds thereabouts.

† Kickapoos, † Outtagamies, † Musquatans, † Miscotins, † Outtamacks, † Musquakeys; in all four thousand fighting men; reside on Lake Michigan, and between it and the Mississippi; hunting grounds where they reside.

a Connected with the Twightwees.

* These two nations the English never had any trade or connection with.

|| Formerly connected with the French.

† Never connected in trade or otherwise with the English.

1765. "The present town of Pittsburg was laid out. It is built on the eastern bank of the Monongahela, about two hundred yards from Fort Pitt." [Imlay (1797), 488.]

1765. A few white settlers resided at the mouth of Redstone creek, near the present site of Brownsville, Pennsylvania.

1765. Total number of French families in the territory northwest of the Ohio (comprising the settlements about Detroit, those on and near the river Wabash, and the settlements in the vicinity of Fort Chartres) did not, probably, exceed six hundred.

A memorial, without date, on file among the French archives at Paris refers to "the emigration to Louisiana of Canadian families in 1686; states that in 1699, Mr. d'Iberville arrived with another colony of Canadians, which was followed by other families headed by a Mr. Du Tessenet. The emigrants came by land, first ascending the St. Laurent to the Lake Erie, then ascending a small river emptying itself in that lake, to the Portage des Miamis; their effects being thence transported by the Indians to the river Miamis, where pirogues, out of a single tree, and large enough to contain thirty persons, were built for the voyage down the Mississippi, first descending the Oyo." [De Bow's Review, i. 525.]

1765. October 7, a colonial congress met in New York, adopted a declaration of rights, a petition to the king, and a memorial to the British Parliament.

1765. A letter dated "Winchester, Virginia, April 30, 1765," says:

"The frontier inhabitants of this colony and Maryland are removing fast over the Allegheny mountains, in order to settle and live there. The two hunters who killed the two Indians near Pittsburg, some time ago, are so audacious as to boast of the fact and show the scalps publicly. What may not such proceedings produce?" [Pennsylvania Archives, 1760-1776, p. 217.]

1766. In a letter dated "Fort Pitt, 26th May, 1766," and addressed to General Gage, the writer, Colonel George Croghan, says:

"But if some measures are not speedily taken to remove those

people settled on Redstone creek till a boundary can be properly settled, as proposed, and the governors pursue vigorous measures to deter the frontier inhabitants from murdering Indians which pass to and from war against their natural enemies, the consequences may be dreadful and we involved in all the calamities of another general war." [Pennsylvania Colonial Records.]

1766. On the 7th of September, 1766, the Rev. Charles Beatty, who was appointed by the synod of New York to visit the western frontiers, preached two sermons at Pittsburg. Mr. Beatty was one of the first regular Presbyterian missionaries to Western Pennsylvania. ["Old Redstone" Presbytery, p. 115.] According to a statement which appears in the journal of Arthur Lee, there was not at Pittsburg, in 1784, "a priest of any persuasion, nor church, nor chapel." A letter written by the Rev. Dr. Patterson says: "Between 1780 and 1790, and chiefly in the latter part of these years, some of the few Presbyterian clergymen living west of the mountains, in Pennsylvania, were in the habit of giving instruction in the languages and sciences to young men, whose object in their studies was the gospel ministry." [Ib., p. 81, 327.]

1766. May 22, in a communication addressed to the English Lords of Trade, Governor Fauquier, of Virginia, said:

"In disobedience to all proclamations, in defiance of law, and without the least shadow of right to claim or defend their property, people are daily going out to settle beyond the Allegheny mountains."

1766. Governor Francis Fauquier, of Virginia, in a letter addressed to the governor of Pennsylvania, on the 11th of December, 1766, says:

"I also issued a proclamation to recall them [the settlers who were moving westward over the Allegheny mountains], in which I told them they would not be protected, but exposed to the revenge of the Indians, as will appear by the proclamation, a copy of which I have inclosed to you, and which is the third I have issued on this affair; but I find, with you, no regard is paid to proclamations * * * I have found, by experience, it is impossible to bring anybody to justice for the murder of an Indian. who takes

shelter among our back inhabitants. It is among those people looked on as a meritorious action, and they are sure of being protected." [Pennsylvania Colonial Records, ix. 350.]

1766. November 1, Captain Jonathan Carver was at Lake Pepin.

1766. Colonel James Smith and four companions visited the southern part of Kentucky, and northern part of Tennessee.

1767. The Indian chief Pontiac assassinated "in the Illinois country."

1767. John Finley, of North Carolina, visits Kentucky in company with a few companions.

1768. About this time the Indian chief Tecumseh was born in a Shawanee village on the north side of Mad river, about six miles below the site of Springfield, Clark county, Ohio.

1768. In November, 1768, the Six Nations of Indians granted to William Trent, Samuel Wharton, George Morgan, and others, a large tract of land lying principally between the Monongahela and Ohio rivers. This tract, to which the proprietors gave the name of Indiana, contained about three millions five hundred thousand (?) acres. [Imlay's Description of Western Territory; Butler's Kentucky.]

1768. Names of settlers at and near Redstone Old Fort, on the Monongahela river, on the 24th of March, 1768: John Wiseman, Henry Prisser, William Linn, William Colvin, John Vervalson, Abraham Tygard, Thomas Brown, Richard Rogers, John Delong, Peter Young, George Martin, Thomas Down, Andrew Gudgeon, Philip Lute, James Crawford, John Peters, Henry Swats, Joseph McCleon, Jesse Martin, Adam Hatton, John Verval, Jr., James Waller, Thomas Douter, Captain Coburn, Michael Hooter, Andrew Linn, Gabriel Conn, John Martin, Hans Cack, Daniel McCay, Josias Crawford, ——— Provence.

1769. "John Wilkins, Esq., lieutenant-colonel of his majesty's eighteenth or royal regiment of Ireland, governor and commandant throughout the Illinois country," was at Fort Chartres on the 12th of April.

1769. Lands in the neighborhood of Fort Pitt were surveyed for the proprietaries of Pennsylvania.

1769. Daniel Boone and other hunters visited Kentucky. In an account of his adventures, written by himself, Boone says: "Many dark and sleepless nights have I spent, separated from the cheerful society of men, scorched by the summer's sun and pinched by the winter's cold, an instrument ordained to settle the wilderness." * * * "The buffaloes were more numerous than cattle in the settlements, browsing on the leaves of the cane or cropping the herbage on these extensive plains. We saw hundreds in a drove, and the numbers about the salt springs were amazing."

1769. A settlement founded at the site of Uniontown, by Henry Beeson.

1770. George Washington visits the valley of the Ohio. Several persons from Virginia, Pennsylvania, and other North American colonies, explored parts of this valley, and marked nearly all the valuable lands, "not only on the Redstone and other waters of the Monongahela, but along the Ohio, as low as the Little Kanawha." [Washington's Journal of 1770.]

PART X.

PROGRESS OF PIONEER SETTLEMENTS WESTWARD OF THE ALLEGHENY MOUNTAINS.

In 1750, about one hundred and twenty-eight years ago, the English colonies in North America contained a civilized population amounting to about one million and fifty thousand. At the same time the number of French colonists, including all their settlements in Canada, those planted in the regions lying westward of the Allegheny mountains, and those in different parts of Louisiana, amounted to only about fifty-two thousand.

The war in which the English forces under the command of General Edward Braddock were defeated, in 1755, on their march to the site of Fort Du Quesne, was commenced and carried on between Great Britain and France in order to settle their conflicting claims to vast regions lying westward of the Allegheny mountains. At the close of this war, France, by a treaty concluded in 1763, ceded to Great Britain the province of Canada, and all that part of Louisiana which was situated east of the river Mississippi, and north of the thirty-first degree of north latitude.

By the terms of a proclamation issued by the king of Great Britain, on the 7th of October, 1763, "all the lands and territories lying to the westward of the sources of the rivers which fall into the sea from the west and northwest," were reserved under "the sovereignty, protection and dominion" of the crown, for the use of the Indian tribes. All the subjects of Great Britain were strictly prohibited from making any settlements on the lands thus

set apart, westward of the Allegheny mountains, for the occupancy and use of the Indians.

Some time before Canada was ceded to Great Britain, a French officer, the Marquis Du Quesne, held a secret conference at Montreal, with Indian deputies of the Six Nations, and reproached them for their willingness to surrender the control of the valley of the Ohio to the English rather than to the French. "Are you ignorant," he said to them, "of the difference between the king of France and the English? Look at the forts which the king [of France] has built. You will find that, under the very shadow of their walls the beasts of the forest are hunted and slain; that they [the forts] are, in fact, fixed in the places most frequented by you, merely to gratify, more conveniently, your necessities. The English, on the contrary, no sooner occupy a post than the woods fall before their hands; the earth is subjected to cultivation; the game disappears, and your people are speedily reduced to combat with starvation." [Publications of Pennsylvania Historical Society.]

No permanent English settlements were established on the western side of the Allegheny mountains before the year 1765. The names of the founders of early civilized settlements in these regions show that those pioneers or their ancestors were, with a few exceptions, emigrants from England, Ireland, Scotland, Germany, Holland and France.

Among the first settlers at Pittsburg, at the head of the river Ohio, were the McKays, Ormsbys, Butlers, Craigs, Nevilles, O'Haras, Evanses, Eckleys, Kyles, Harveys, Worfs, Huffnagles, Mullalys, Cavanaghs, McKenzies, Lavoyers, Lorrarnies, Cleghorns, Weesners, McClellands, Pipers, Dennys, Wilkinsons, etc.

The McCullochs, Lefflers, Biggses, Swerengens, Spriggsses, Shepherds, Mitchells, Millers and Kellers were among the early settlers at Wheeling, in West Virginia.

The Boones, Kentons, Harrods, Andersons, McAfees, McCal-las, McClungs, Gordons, Guigers, McGarys, Lanes, Higginses, Montgomerys, Dunns, La Cassaignes, Beaubiens, Coburns and Joices were among the pioneer settlers of Kentucky.

The Putnams, Nyswongers, Vansants, Battelles, Delanos, Bu-ells, McCullochs, Olivers, Wilburs, McGees, McClures and

McGuffys were among the pioneers who settled at the mouth of the river Muskingum, and laid the foundations of the town of Marietta.

The Gibsons, Beards, Bowmans, Cozbys, Bales, Meeks, Doaks, McNails, McTeers, McCullochs, Kellys, McConnells, McNutts, McFarlands, Hufacres, Seviars and Morells were among the pioneer settlers of Tennessee.

A list of prisoners among the northwestern Indian tribes, in 1783, contains the names of Gray, Stewart, Fulks, McFall, Williams, Dundas, Jones, Burke, Morgan, Wilson, Brown, Polke, Lech, Coyle, McCormick, Etilmaw, Malone, Delong, Vingordor, Shull, Newman, Smith, Doherty, Herfleur and Patterson.

A list of the names of the pioneer settlers of the several towns and cities of the vast regions lying westward of the Allegheny mountains would, no doubt, show a similar remarkable mingling of the people of different races.

The first settlers of the New England colonies were generally emigrants from old England; yet, among the early settlers of Col-raine, in Massachusetts, were the McDowels, McClellans, McGees, McCowns, etc.

In 1775, at the time of the battle of Concord, Massachusetts, the British forces burned "the house, barn and shop of Mrs. Lydia Mullikin."

A writer in the North British Review says:

"Remarkable as are many of the phenomena presented to us in the New World, the most remarkable, as it seems to us, is the extraordinary commingling of diverse races which is being accomplished on its soil. Navigation has now so bridged the ocean that from every country in Europe settlers have reached the American shores, and railways have so facilitated locomotion by land, and so quickened the movements of social life, that these diverse peoples from Europe are shaken together and amalgamated in the New World till the original distinctions disappear and a new national type is formed."

Between the beginning of the year 1765 and the close of the year 1799, different parties of that hardy and adventurous class of people who were called western pioneers founded settlements in the western parts of Virginia, in western Pennsylvania, in Ken-

tucky, and in the territory of the United States northwest of the river Ohio. Settlements were established—

At Redstone Old Fort, now Brownsville, Pennsylvania, in 1765.

At Wheeling, Virginia (now West Virginia), in 1770.

At Harrod's Station, in Kentucky, in 1774.

At the mouth of the Great Kanawha river, in Virginia, in 1785.

At Boonsborough, in Kentucky, in 1775.

At the mouth of Big Beaver creek, in Pennsylvania, in 1776.

At Bryant's Station (near the site of Lexington), in Kentucky, in 1779.

At the site of Louisville, Kentucky, in 1779.

A great number of settlements were established in the western wilderness, by pioneers, between the years 1780 and 1799. Of the principal towns which were founded by them within that period—

Washington, Pennsylvania, was founded in 1782.

Danville, Kentucky, in 1783.

Limestone (now Maysville), Kentucky, in 1784.

Washington, in Kentucky, in 1785.

Frankfort, Kentucky, 1786.

Marietta, at the mouth of the river Muskingum, in 1788.

Charlestown (now Wellsburg), Virginia, was laid out in 1789.

Cincinnati, in 1789.

Paris, in Kentucky, 1789.

Gallipolis, in Ohio, 1792.

Shelbyville, Kentucky, in 1793.

Dayton, in Ohio, in 1795.

Cleveland, in 1796.

Chillicothe, in 1796.

Steubenville, in 1798.

Zanesville, in 1799.

Before the close of the revolutionary war, and after the capture of the posts of Kaskaskia and Vincennes by Colonel George Rogers Clark, emigrants in considerable numbers from the eastern states passed over the Allegheny mountains and founded pioneer settlements in the west. In the spring of 1780 three hundred "family boats" arrived at the falls of the river Ohio.

1770. Several persons from Virginia, Pennsylvania and other British provinces, explored and marked nearly all the valuable lands, "not only on the Redstone and other waters of the Monongahela, but along the Ohio as low as the Little Kanawha." [Washington's Journal of 1770.]

1770. Joseph Tomlinson, from Maryland, visited the Big Mound at Grave creek, and removed to that place in 1773.

1770. The village of Pittsburg was composed of about twenty log houses, inhabited principally by Indian traders. The garrison of Fort Pitt consisted of two companies of royal Irish, commanded by Captain Edmonson.

1770. March 5th, a fight took place between a number of the citizens of Boston and a party of British soldiers. Three citizens were killed and two severely wounded. The citizens retreated. The city bells were rung, and in the course of an hour a very large number of the inhabitants assembled in the streets. The excitement was subdued by Governor Hutchinson, who assured the people "that their wishes should be respected." [Lossing.] The affair was called the "Boston Massacre."

1770. Settlements founded in the valley of Cheat river by Captain Parsons and others.

1770. The site of Wheeling selected for a place of settlement, by Ebenezer Zane and others. Zane built a cabin, to which he brought his family in the fall of 1772.

1770. Kaskaskia contained sixty-five families, exclusive of slaves, visitors and traders. An officer and twenty soldiers were stationed at the village.

1770. A party of about thirty-five men, led by Colonel James Knox, started from "Holston, on Clinch river," and explored the middle and southern parts of Kentucky. These explorers were called the "Long Hunters."

1771. Early in 1771 the governor of Pennsylvania appointed magistrates to act at Pittsburg.

1771. Population of St. Louis, four hundred and fifteen whites and forty negroes or colored persons.

1771. April 21st, a letter addressed to the governor of Pennsylvania, says: "There is upwards of two thousand families settled on that [the western] side of the mountains."

1772. April 8th, General Gage issued a proclamation addressed to the French inhabitants of the country on the borders of the Wabash river, requiring them "to quit those countries instantly and without delay, and to retire, at their choice, into some of the colonies of his majesty, where they will be received and treated as the other subjects of his majesty."

1773. Early in 1773 the troops were withdrawn from Fort Pitt, by order of General Gage, and the Assembly of Pennsylvania refused to maintain a garrison at that post.

1773. Westmoreland county was laid out by Pennsylvania. The county included all the country claimed by Pennsylvania west of the Laurel hill. The first court held west of the Allegheny mountains was opened at Hannastown, the county seat of Westmoreland, on the 13th of March, 1773. Hannastown was situated about thirty miles east of Pittsburg and about three miles north-east of the present town of Greensburg.

1773. Purchase of lands from Indians by the Illinois Land Company.

1773. White river, a branch of the Wabash, was regarded by the Indians as a good stream in which to trap beavers.

1773. December 16, a number of men, disguised as Indians, went on board of vessels in Boston harbor, broke open boxes of tea, and threw the tea into the water.

1773. Captain Thomas Bullitt and others made surveys of land at the falls of the Ohio and on the Kentucky river.

1773. During the summer of 1773 Zebulon Herton, his nephew and John Parish, all Quakers, of Pennsylvania, visited the Indian towns on the Muskingum, held meetings and received friendly speeches from the Indians. The party returned by way of Pittsburg, Braddock's Field, Little Redstone, Laurel hill, More's tavern, etc. The journal of Mr. Herton, in referring to

More's tavern, says: "The landlord was from home, and the landlady a proud and ill-natured woman, so that we had an unpleasant time." [Dawson's Historical Magazine, February, 1870, p. 103.]

1774. On the 2d of June, 1774, the British Parliament passed an act which extended the boundaries of the province of Quebec so as to include the territories now lying within the limits of the States of Ohio, Indiana, Illinois, Michigan, Wisconsin and Minnesota. (?)

1774. At a meeting held with a party of Indians at Pittsburg, on the 29th of June, 1774, there were present Captain Aston, Major McCulloch, Captain Crawford, Captain Neville, Mr. V. Crawford, Mr. Edward Cook, Mr. John Stevenson, Captain Hogleland, Mr. David Shepherd, Rev. Mr. Whiteaker, Mr. Joseph Wells, Mr. James Innis, Mr. Æneas Mackay, Mr. Joseph Simons, with a number of the inhabitants and traders.

Indians present, Captain White Eyes, Weyandahila, Captain Johnny, with sundry other young men.

Captain White Eyes gave an account of his efforts to preserve peace between the Indians and English, and delivered a friendly paper from the chiefs of the Delawares, addressed to George Crogan, Alexander McKee and J. Conolly, Esquires, urging them to restrain the hostility of the whites. The Delaware chiefs whose names were signed to this paper were King Newcomer, White Eyes, Thomas McKee, Epaloined, Neoliga, Killbuck, William Anderson and Simon Girty. [American Archives (fourth series), vol. i. p. 545.]

1774. Dr. John Conolly, acting under the authority of Governor Dunmore, attempted to establish the jurisdiction of Virginia over Fort Pitt and the surrounding country. Dunmore claimed the country "as far eastward as Laurel hill."

1774. May 24(?), massacre of a small party of Indians by white men, at Baker's bottom, on the Ohio river, opposite the mouth of Yellow creek.

1774. A letter from Governor John Penn to Arthur St. Clair,

dated "Philadelphia, June 7, 1774," contains the following passage :

"I am much concerned to find your [western] country in so terrible a situation as you represent it, and think you have acted very wisely in entering into an association to raise men, which I hope will quiet the minds of the people and answer the purpose of keeping them from totally leaving the country." [St. Clair's Manuscripts in Ohio State Library.]

1774. In a letter addressed to Colonel John Conolly, one of the Virginia magistrates at Pittsburg, dated June 20, 1774, Governor Dunmore said :

"I would recommend it to all officers going out on parties [against hostile Indians] to make as many prisoners as they can of women and children ; and should you be so fortunate as to reduce those savages to sue for peace, I would not grant it to them on any terms till they were effectually chastised for their insolence, and then on no terms without bringing in six of their heads as hostages for their good behavior, and these to be relieved annually ; and that they trade with us only for what they may want."

1774. Massachusetts being what was called a charter colony in 1774, complained of violations of the charter by the British Parliament. The Virginia house of burgesses, in 1774, passed some resolutions in which they implored the divine power "to give them one heart and one mind, firmly to oppose, by all just and proper means, every injury to the American rights." On the publication of these resolutions, the royal governor, Dunmore, dissolved the house of burgesses ; but before the separation of the members, eighty-nine of them signed an agreement in which they declared "that an attack made on one of our sister colonies (alluding to Massachusetts), to compel submission to arbitrary taxes, is an attack made on all British America, and threatens to ruin the rights of all, unless the united wisdom of the whole be applied." [Holmes' Annals, ii. 187.]

1774. Several Indians killed by whites in the vicinity of Wheeling. About September 1, two friendly Delaware Indians were murdered in "cold blood" near Fort Pitt. [St. Clair Papers.]

1774. By authority of Governor Dunmore, Colonel Angus McDonald, who lived near Winchester, in the Shenandoah valley, led an expedition, consisting of about four hundred men, against Indians residing on the Muskingum river. He burned six villages, killed six Indians, captured a few prisoners and destroyed about seventy acres of standing corn.

1774. A letter from Arthur St. Clair to Governor Penn, dated "Ligonier, Pennsylvania, June 22, 1774," says: "Logan [the Indian chief] is returned with thirteen scalps and a prisoner, and says he will now listen to the chiefs." Ligonier valley lies between the Laurel hill on the east and the Chestnut ridge on the west, and extends from the waters of the Youghiogheny to the Conemaugh. [Egle's Pennsylvania.]

1774. October 10, a battle at the mouth of the Great Kanawha between about eleven hundred Virginians, under the command of Colonel Andrew Lewis, and a large body of Indians. The battle commenced about sunrise and lasted all day. At night the Indians retreated across the river Ohio. The loss of the Virginians amounted to seventy-five killed and one hundred and forty wounded.

1774. Governor Dunmore, with a force of about one thousand men, descended the Ohio from Fort Pitt to the mouth of the Hockhocking river, where he built a small fortification, to which he gave the name of Fort Gower.

1774. Governor Dunmore made a preliminary treaty of peace with the Shawanee Indians and their confederates. The terms of this treaty were agreed to at "Camp Charlotte," about eight miles from an Indian village that stood on the banks of the Scioto river. During the settlement of the terms of this treaty the chief Logan, in a private conversation with John Gibson, uttered the remarkable words which are known as the speech of the Indian chief Logan. "Camp Charlotte stood on the left bank of Sippo creek, about seven miles southeast of Circleville." [Bancroft, vii. 170.]

1774. In October a cargo of tea, with the vessel which contained it, was destroyed by the owners at Annapolis, Maryland, to allay the excitement of the citizens of that place.

1774. Fort Fincastle built at the site of Wheeling. The name was changed to Fort Henry in 1776.

1774. James Harrod built the first log cabin in Kentucky, at the place where Harrodsburg now stands.

1774. A town to be laid out at the falls of the Ohio river, by John Campbell and John Conolly. They published the following advertisement:

“The subscribers, patentees of land at the falls of the Ohio, hereby inform the public that they intend to lay out a town there, in the most convenient place. The lots to be eighty feet front and two hundred and forty deep. The number of lots that shall be laid off at first will depend on the number of applications. The purchase money on each lot to be four Spanish dollars, and one dollar per annum quit-rent forever. The purchaser to build within the space of two years from the first of December next, on each lot, a log house not less than sixteen feet square, with a stone or brick chimney, and, as, in that country, it will be necessary the first settlers should build compactly, the improvements must necessarily join each other. It is further proposed, for the convenience of the settlers, that an outlot of ten acres, contiguous to the town, shall be laid off for such as desire the same, at an easy rent on a long lease.

“Attendance will be given by the patentees at Pittsburg till the middle of June, at which time one of them will set off to execute the plan. The advantageous situation of that place, formed by nature, as a temporary magazine or repository to receive the produce of the very extensive and fertile country on the Ohio and its branches, as well as the necessary merchandise suitable for the inhabitants that shall emigrate into that country (as boats of fifty tons may be navigated from New Orleans up to that town), is sufficient to recommend it; but when it is considered how liberal, nay, profuse, nature has been to it otherwise, in stocking it so abundantly that the slightest industry may support the most numerous family with the greatest plenty, and amazing variety of fish, fowl and flesh; the fertility of the soil, and facility of cultivation, that fit it for producing commodities of great value with little labor; the wholesomeness of the waters and serenity of the air, which ren-

der it healthy; and when property may be so easily acquired, we may with certainty affirm that it will, in a short time, be equaled by few inland places on the American continent.

“JOHN CAMPBELL,

“JOHN CONOLLY,

“WILLIAMSBURG [VA.], April 7, 1774.”

[American Archives (fourth series), vol. i. p. 278.]

1774. September 5th, first meeting of the Continental Congress. The Congress met in Carpenters' Hall, which was a brick building three stories high, that “stood in a court at the end of an alley leading from Chestnut street, between Third and Fourth streets,” Philadelphia. [Watson's Annals.]

1774. At a meeting of the officers of Governor Dunmore's army, at Fort Gower, at the mouth of Hockhocking river, on the 5th of November, the following resolution was adopted:

“Resolved, That we will bear the most faithful allegiance to his majesty King George III., whilst his majesty delights to reign over a brave and free people; that we will, at the expense of life and everything dear and valuable, exert ourselves in support of the honor of his crown and the dignity of the British empire. But, as the love of liberty and attachment to the real interest and just rights of America outweigh every other consideration, we resolve that we will exert every power within us for the support of her just rights and privileges, not in any precipitous, riotous or tumultuous manner, but when regularly called forth by the unanimous voice of our countrymen.”

1774. In 1774 Washington proposed to import German, Irish or Scotch for the purpose of making settlements on the lands which he owned on the borders of the Kanawha and Ohio rivers. The imported persons were to be engaged, for a certain time, by “indentures” or contracts, which were to be regarded in no other light than as securities for reimbursing the expenses which were incurred in the importation of such settlers. The breaking out of the revolutionary war prevented the execution of this design. [Writings of Washington, ii. 384.]

Washington, at the time of his death, owned the tracts of land mentioned in the following statement:

Near the mouth of the Great Kanawha, eighteen thousand two hundred and sixty-six acres.

At the mouth of Cole river, two thousand acres.

Opposite the mouth of Cole river, two thousand nine hundred and fifty acres.

At the Burning spring, one hundred and twenty-five acres.

On the Little Miami river, three thousand and fifty-one acres.

On Rough creek, Kentucky, five thousand acres.

On the Ohio river, at Round bottom, five hundred and eighty-seven acres.

On the Little Kanawha river, two thousand three hundred and fourteen acres.

"Sixteen miles lower down," two thousand four hundred and forty-eight acres.

Opposite Big Bent (?), four thousand three hundred and ninety-five acres.

At the Great Meadows, two hundred and thirty-four acres.

[Washington's Writings.]

1775. A letter from Lord Dartmouth to Governor Penn, on the subject of the Continental Congress:

"WHITEHALL, 4th January, 1775.

"SIR: Certain persons, styling themselves delegates of several of his majesty's colonies in America, having presumed, without his majesty's authority or consent, to assemble together at Philadelphia, in the months of September and October last; and having thought fit, amongst other unwarrantable proceedings, to resolve that it will be necessary that another Congress should be held at the same place, on the 10th of May next, unless redress for certain pretended grievances be obtained before that time, and to recommend that all the colonies in North America should choose deputies to attend such Congress, I am commanded by the king to signify to you his majesty's pleasure that you do use your utmost endeavors to prevent any such appointment of any such deputies within the colony under your government, and that you do exhort all persons to desist from such an unjustifiable proceeding, which can not but be highly displeasing to the king.

"I am, sir, your most obedient humble servant,

"DARTMOUTH."

1775. "To the inhabitants of Pennsylvania and Virginia, on the west side of the Laurel hill:

"FRIENDS AND COUNTRYMEN: It gives us much concern to find that disturbances have arisen and still continue amongst you concerning the boundaries of our colonies. In the character in which we now address you it is unnecessary to inquire into the origin of those unhappy disputes, and it would be improper for us to express our approbation or censure on either side; but as representatives of two of the colonies, united among many others for the defense of the liberties of America, we think it our duty to remove, as far as lies in our power, every obstacle that may prevent her sons from co-operating as vigorously as they would wish to do towards the attainment of this great and important end. Influenced solely by this motive, our joint and earnest request to you is, that all animosities which have hitherto subsisted among you as inhabitants of distinct colonies may now give place to generous and concurring efforts for the preservation of everything that can make our common country dear to us.

"We are fully persuaded that you, as well as we, wish to see your differences terminate in this happy issue. For this desirable purpose we recommend it to you that all bodies of armed men, kept under either province, be dismissed; that all those on either side who are in confinement or under bail for taking a part in the contest be discharged; and that, until the dispute be decided, every person be permitted to retain his possessions unmolested.

"By observing these directions the public tranquillity will be secured without injury to the titles on either side. The period, we flatter ourselves, will soon arrive when this unfortunate dispute, which has produced much mischief, and, as far as we can learn, no good, will be peaceably and constitutionally determined.

"We are your friends and countrymen,

"P. HENRY.

JOHN DICKINSON.

"RICHARD HENRY LEE.

GEO. ROSS.

"BENJAMIN HARRISON.

B. FRANKLIN.

"TH. JEFFERSON.

JAMES WILSON.

"CHARLES HUMPHREYS.

"PHILADELPHIA, July 25, 1775."

1775. Fort Randolph built at the mouth of the Great Kanawha river, by Virginia troops under the command of Captain Arbuckle.

1775. Battle of Lexington, Massachusetts, April 19th.

1775. Battle of Bunker Hill, June 17th.

1775. Site of Maysville, Kentucky, visited by Simon Kenton. Settlement founded at this place in 1784.

1775. Fort built by Daniel Boone, on the west bank of Kentucky river, at or near the site of Boonesborough.

1775. Shepherd's Fort erected at the "forks of Wheeling creek."

1775. An agent of the "Wabash Land Company" obtains, by purchase at Vincennes, large tracts of lands from a few chiefs of the Piankashaw tribe of Indians.

1775. March 17th, purchase of large tracts of land from the Cherokee Indians, by Richard Henderson and company, at Watauga, on a branch of the river Holston. The tracts were called Transylvania, and were bounded as follows:

"Beginning on the Ohio river at the mouth of the Cantucky, Chinoia, or what by the English is called Louisa river; from thence running up the said river and the most northerly branch to the head spring thereof; thence a southeast course to the top ridge of Powell's mountain; thence westwardly along the ridge of Powell's mountain unto a point from which a northwest course will strike or hit the head spring, or the most southwardly branch of Cumberland river; thence down the said river, including all its waters, to the Ohio river; thence up the said river to the beginning."

In a legislative assembly held at Boonesborough in the colony of Transylvania, in 1775, the following declaration was unanimously adopted on the 27th of May:

"That there be perfect religious freedom and general toleration; provided, that the propagators of any doctrine or tenets evidently tending to the subversion of our laws, shall, for such conduct, be amenable to, and punished by, the civil courts." [American Archives (fourth series), vol. iv. p. 551.] In the same legislative

body "a bill to prevent profane swearing and Sabbath breaking" was passed.

1775. In September, 1775, the following resolutions were adopted at a meeting of the proprietors of Transylvania:

"Resolved, That all surveys shall be made by the four cardinal points, except where rivers or mountains so intervene as to render it too inconvenient; and that in all cases where one survey comes within the distance of eighty poles from another their lines shall be joined without exception. And that every survey on navigable rivers shall extend two poles out for one pole along the river. And that each survey not on navigable rivers shall not be above one-third longer than its width."

"Resolved, That the thanks of this company be presented to Colonel Richard Callaway for his spirited and manly behavior in behalf of the said company; and that a present of six hundred and forty acres of land be made to his youngest son."

"Resolved, * * * That no survey of land shall contain more than six hundred and forty acres, except in particular cases." [Hall's West, ii. 222, etc.]

1775. A letter dated November 2, 1775, written by Silas Deane, and addressed to James Hogg, the agent of the Transylvania colony, contains the following passages:

"Education must be attended to, as a matter of more importance than all the laws which can be framed." * * *

"A new colony, in the first place, should be divided into small townships or districts, each of which ought to be empowered to regulate their own internal affairs, and to have and enjoy every liberty and privilege not inconsistent with the good of the whole."

"Though entire liberty of conscience ought everywhere to be allowed, yet the keeping up among a people a regular and stated course of divine worship has such beneficial effects that the encouragement thereof deserves the particular attention of the magistrates." [Hall's West, ii. 230.]

1775. The inhabitants of Westmoreland county, Pennsylvania, held a general meeting at Hannastown, on the 16th of May, and formed an association. Among the resolutions adopted by the members of the association was the following: "We will coincide

in any plan that may be formed for the defense of America in general or Pennsylvania in particular." A similar meeting was held at Pittsburg on the same day. [Craig's Olden Time.]

1775. May 20, at a large meeting of citizens of Mechlenburg county, North Carolina, several resolutions were adopted, among which the most memorable are the following :

"Resolved, That we, the citizens of Mechlenburg county, do hereby dissolve the political bands which have connected us to the mother country, and hereby absolve ourselves from all allegiance to the British crown, and abjure all political connection, contract, or association with that nation, who have wantonly trampled on our rights and liberties, and inhumanly shed the innocent blood of American patriots at Lexington."

"Resolved, That we do hereby declare ourselves a free and independent people; are, and of right ought to be, a sovereign and self-governing association, under the control of no other power than that of God and the general government of the Congress; to the maintenance of which independence we solemnly pledge to each other our mutual co-operation, our lives, our fortunes and our most sacred honor."

This declaration was signed by Abraham Alexander, chairman; John McKnitt Alexander, secretary; Ephraim Brevard, Hezekiah J. Balch, John Phifer, James Harris, William Kennon, John Ford, Richard Barry, Henry Downe, Ezra Alexander, William Graham, John Queary, Hezekiah Alexander, Adam Alexander, Charles Alexander, Zaccheus Wilson, Waighstill Avery, Benjamin Patton, Matthew McClure, Neil Morrison, Robert Irvin, John Flennegin, David Reese, John Davidson, Richard Harris, and Thomas Polk, Sen. [See American Archives (fourth series), vol. ii. p. 857; Wheeler's History of North Carolina, i. 70.]

1775. George Rogers Clark, of Albemarle county, Virginia, visited Kentucky.

1776. April 29, committee of Congress instructed to prepare a plan of an expedition against Detroit.

1776. In his Notes on Virginia, Jefferson says: "At the annual election in April, 1776, independence and the establishment

of a new form of government were not even yet the objects of the people at large."

1776. June 12, bill of rights adopted by the Virginia convention.

1776. July 4, declaration of American Independence adopted by the Continental Congress.

1776. Colonel George Morgan, of Pennsylvania, was appointed Indian agent of the middle department, to have his headquarters at Pittsburg.

1776. McClellan's fort, on Elkhorn, Kentucky, attacked by Indians.

1776. Captain White Eyes, chief sachem of the Delawares, was on terms of friendship with the whites.

1776. The General Assembly of Virginia established the county of Kentucky, December 7.

1776. Settlement founded at the mouth of Big Beaver creek, Pennsylvania.

1776. In Jefferson's Notes on Virginia (edition of 1853), p. 136, the following statement appears:

"In December, 1776, our circumstances being much distressed, it was proposed in the house of delegates to create a dictator, invested with every power, legislative, executive and judiciary, civil and military, of life and death, over our persons and over our properties; and in June, 1781,* again under calamity, the same proposition was repeated, and wanted a few votes only of being passed."

1777. General Edward Hand was ordered to proceed to Pittsburg, and to organize a militia force of one thousand men at that place for the protection of the western frontiers.

1777. Extract of a letter from Captain Samuel Meason, dated

*"The delegates were then sitting at Staunton, and had voted that forty of their members should make a house. There were between forty and fifty present when the motion for a dictator was made, and it was rejected by a majority of six only."

"FORT HENRY [now Wheeling], June 8, 1777.

"Yesterday, between the hours of five and six o'clock in the afternoon, as a few of Captain Vanmeter's company were fishing, about half a mile from this fort, up Wheeling creek, a certain Thomas McCleary and one Lanimore, being some distance from the others, were fired on by a party of Indians, to the number of six, seven or eight guns, of which the several persons near did not agree, as some say eight or upwards. Lanimore and others gave the alarm. I went to the place and found tracks, but difficult to ascertain the number of Indians. McCleary's shoe, being found, which he wore when he received the wound, we presently found him killed and scalped. He had run about three hundred yards from the creek. Night coming on by the time that we were satisfied of its being Indians, I proposed to set out this morning by daylight in pursuit, and have drawn out Captain Virgin's company of eight men, so that we amount to thirty men, well equipped, and do cross the river at this place, as they seemed by their tracks to bend their direction down the river, and purpose to pursue them to the last extremity and hazard. I set off at eight this morning, and flatter myself that you will not disapprove our proceeding, but call on me if any occasion should require, and as I may not return to the ensuing council at Catfish, I take this opportunity to return your honor the strength of my company, which consists of fifty men, of which forty-five are in good order and furnished for going on any emergency and expedition that may be necessary.

"I am, with great respect,

"Your honor's most obedient and humble servant,

"SAM'L MEASON."

Directed: Brigadier-General Hand. [Pennsylvania Archives, 445.]

1777. The Shawanee chief Cornstalk was murdered by white men near Fort Randolph, at the mouth of the Great Kanawha river.

1777. Edward Abbott, a British officer in command of Vincennes, etc., issued a proclamation requiring the French inhabitants on the Wabash to take the oath of allegiance to the government of Great Britain.

1777. Logan's Station, in Kentucky, was attacked by Indians in May.

1777. In Kentucky the Indians made unsuccessful attacks on Harrodsburg and Boonesborough. The attacks were made in the spring.

1777. The following proclamation was issued by the British lieutenant-governor and superintendant at Detroit, and distributed by hostile Indians in the settlements in Westmoreland county, Pennsylvania :

“DETROIT, June 24, 1777.

“By virtue of the power and authority to me given by his excellency Sir Guy Carlton, Knight of the Bath, governor of the province of Quebec, general and commander-in-chief, etc.

“I assure all such as are inclined to withdraw themselves from the tyranny and oppression of the rebel committees and take refuge in this settlement, or any of the posts commanded by his majesty's officers, shall be humanely treated, shall be lodged and victualled, and such as are officers in arms, and shall use them in defense of his majesty against rebels and traitors till the extinction of this rebellion, shall receive pay adequate to their former stations in the rebel service, and all common men who shall serve during that period shall receive his majesty's bounty of two hundred acres of land.

“Given under my hand and seal,

“HENRY HAMILTON,

“Lieutenant-Governor and Superintendent.”

1777. Extract of a letter dated November 4, 1777, from Colonel Archibald Lochry, county lieutenant of Westmoreland county, Pennsylvania, to “his excellency Thomas Wharton, president of the executive council of Pennsylvania :”

“The distressed situation of our county is such that we have no prospect but desolation and destruction. The whole country on the north side of the road from the Allegheny mountains to the river [Ohio] is all kept close in forts, and can get no assistance from their plantations. They have made application to us to be put under pay and receive rations.”

1777. In September a session of court was held in Kentucky, at Harrodsburg.

1777. In December George Rogers Clark submitted to Governor Henry, of Virginia, a plan for the capture of the British posts at Kaskaskia, Vincennes, etc.

1777. September 26 and 27 (?) a large body of Indians made desperate but unsuccessful efforts to take Fort Henry, which stood at the site of Wheeling, and was garrisoned by about forty men, under the command of Colonel Shepherd. The garrison was reinforced by a small number of pioneer settlers early on the second day of the attack. The Indians, after losing from sixty to one hundred warriors, retired from the neighborhood of the fort. It is said that the loss of the whites amounted to "twenty-six killed and four or five wounded." Elizabeth Zane, with remarkable courage, and at the risk of her life, in view of the Indians, went from the fort to a house about sixty yards distant, found a keg of powder, and carried it into the fort. [See Howe's Virginia, p. 413.] About this time Samuel McColloch, being pursued by Indians, made an extraordinary leap, on horseback, down a precipice in the vicinity of Wheeling.

1778. In the month of January, the Indians captured Daniel Boone and twenty-seven of his companions, at the Blue Licks, in Kentucky.

1778. On the 6th of February, 1778, France acknowledged the independence of the United States of America, and concluded a treaty of amity and commerce. and a treaty of alliance with the new republic.

1778. May 6, St. Louis attacked by a party of Indians composed of different tribes. About twenty white people were killed. [Hall.] (?)

1778. Treaty of alliance concluded with some of the Delaware Indians at Pittsburg. (?)

1778. Fort McIntosh, named after General Lachlin McIntosh, was completed. It stood on the right bank of the Ohio river, below the mouth of Big Beaver creek, about thirty miles

below Pittsburg. The fort had four bastions, and six pieces of artillery. The work of building this fort was commenced in 1776.

1778. Colonel George Rogers Clark received from Governor Henry, of Virginia, a letter of secret instructions in reference to leading an expedition against the British posts in the Illinois country. The following is a copy of this letter :

“ Virginia, Set.

IN COUNCIL,
WILLIAMSBURG, January 2, 1778. }

“ LIEUT.-COLONEL GEORGE ROGERS CLARK: You are to proceed, with all convenient speed, to raise seven companies of soldiers, to consist of fifty men each, officered in the usual manner and armed most properly for the enterprize, and with this force attack the British post at Kaskaskia.

“ It is conjectured that there are many pieces of cannon, and military stores to considerable amount at that place, the taking and preservation of which would be a valuable acquisition to the State. If you are so fortunate, therefore, as to succeed in your expectation, you will take every possible measure to secure the artillery and stores and whatever may advantage the state.

“ For the transportation of the troops, provisions, etc., down the Ohio, you are to apply to the commanding officer at Fort Pitt for boats; and during the whole transaction you are to take especial care to keep the true destination of your force secret. Its success depends upon this. Orders are therefore given to Captain Smith to secure the two men from Kaskaskia. Similar conduct will be proper in similar cases.

“ It is earnestly desired that you show humanity to such British subjects and other persons as fall into your hands. If the white inhabitants at that post and the neighborhood will give undoubted evidence of their attachment to this state (for it is certain they live within its limits) by taking the test prescribed by law and by every other way and means in their power, let them be treated as fellow-citizens, and their persons and property duly secured. Assistance and protection against all enemies whatever shall be afforded them, and the commonwealth of Virginia is pledged to accomplish it. But if these people will not accede to these reasonable demands they must feel the miseries of war,

under the direction of that humanity that has hitherto distinguished Americans, and which it is expected you will ever consider as the rule of your conduct, and from which you are in no instance to depart.

“The corps you are to command are to receive the pay and allowance of militia, and to act under the laws and regulations of this state now in force as militia. The inhabitants at this post will be informed by you that in case they accede to the offers of becoming citizens of this commonwealth, a proper garrison will be maintained among them, and every attention bestowed to render their commerce beneficial, the fairest prospects being opened to the dominions of both France and Spain.

“It is in contemplation to establish a post near the mouth of Ohio. Cannon will be wanted to fortify it. Part of those at Kaskaskia will be easily brought thither, or otherwise secured as circumstances will make necessary.

“You are to apply to General Hand for powder and lead necessary for this expedition. If he can't supply it, the person who has that which Captain Lynn brought from Orleans can. Lead was sent to Hampshire by my orders, and that may be delivered you.

“Wishing you success, I am, sir, your humble servant,

“P. HENRY.”

1778. Lieutenant-Governor Hamilton, British commandant at Detroit, invites colonists to settle at Vincennes, Sandusky and at the head of the Maumee river.

1778. In the month of July, Boonesborough, Kentucky, was besieged by a large body of Indians—about four hundred—for thirteen days.

1778.(?) Simon Girty, who had acted as an interpreter for the United States, fled from Pittsburg and joined the Indians. His brother, James Girty, also deserted the American cause and became an Indian partizan.

1778. Fort Laurens built by General McIntosh, on the Tuscarawas river, below the mouth of Sandy creek, and garrisoned by one hundred and fifty men under the command of Colonel John Gibson. The fort “was built of well-hewn logs, with four bastions.

Its figure was an irregular square, the face to the river being longer than the side to the land. It is equal to a square of about fifty yards, is well built and strong against musketry." [Arthur Lee's Journal.]

1778. In June, 1778, the Indians engaged in carrying on war against the frontier settlers of the United States were "the Senecas, Cayugas, Mingoes, Wyandots in general, a majority of the Onondagas, and some few of the Ottawas, Chippewas, Shawanees and Delawares acting contrary to the voice of their nations, amounting in all to about sixteen hundred warriors." [Journal of Congress, June 11, 1778.]

1778. In July, massacre of white settlers at Wyoming, Pennsylvania.

1778. Colonel George Rogers Clark, having made some slight fortifications on Corn Island, at the falls of the Ohio, started from that place, on the 24th of June, on his expedition against Kaskaskia, Vincennes and other posts in "the Illinois country."

"A memoir," written by Clark, "at the united desire of Presidents Jefferson and Madison," contains the following very interesting statements in reference to his memorable expedition:

"On the [24th] of June, 1778, we left our little island and run about a mile up the river, in order to gain the main channel; and shot the falls at the very moment of the sun being in a great eclipse, which caused various conjectures among the superstitious. As I knew that spies were kept on the river, below the towns of the Illinois, I had resolved to march part of the way by land; and of course left the whole of our baggage, except as much as would equip us in the Indian mode. The whole of our force, after leaving such as was judged not competent to the expected fatigue, consisted only of four companies, commanded by Captains John Montgomery, Joseph Bowman, Leonard Helms and William Harrod. My force being so small to what I expected, owing to the various circumstances already mentioned, I found it necessary to alter my plans of operation. As Post Vincennes, at this time, was a town of considerable force, consisting of near four hundred militia, with an Indian town adjoining, and great numbers continually in the neighborhood, and in the scale of Indian affairs of more impor-

tance than any other, I had thought of attacking it first, but now found that I could by no means venture near it. I resolved to begin my career in the Illinois, where there was more inhabitants, but scattered in different villages, and less danger of being immediately overpowered by the Indians; in case of necessity we could probably make our retreat to the Spanish side of the Mississippi; but if successful, we might pave our way to the possession of Post Vincennes.

"I had fully acquainted myself that the French inhabitants in those western settlements had great influence among the Indians in general, and were more beloved by them than any other Europeans—that their commercial intercourse was universal throughout the western and northwestern countries—and that the governing interest on the lakes was mostly in the hands of the English, who were not much beloved by them. These and many other ideas similar thereto caused me to resolve, if possible, to strengthen myself by such train of conduct as might probably attach the French inhabitants to our interest and give us influence at a greater distance than the country we were aiming for.

* * * "Fortunately I had just received a letter from Colonel Campbell, dated Pittsburg, informing me of the contents of the treaties between France and America. As I intended to leave the Ohio at Fort Massac, three leagues below the Tennessee, I landed on a small island in the mouth of that river, in order to prepare for the march." * * * "Having everything prepared, we moved down to a little gully, a small distance above Massac, in which we concealed our boats, and set out in a northwest course. The weather was favorable. In some parts water was scarce, as well as game. Of course we suffered drought and hunger, but not to excess. On the third day John Saunders, our principal guide, appeared confused, and we soon discovered that he was totally lost, without there was some other cause of his present conduct. I asked him various questions, and from his answers I could scarcely determine what to think of him—whether or not that he was lost or that he wished to deceive us. * * * The cry of the whole detachment was that he was a traitor. He begged that he might be suffered to go some distance into a plain that was in full view, to try to make some discovery whether or not he

was right. I told him he might go, but that I was suspicious of him from his conduct; that, from the first day of his being employed, he always said he knew the way well; that there was now a different appearance; that I saw the nature of the country was such that a person once acquainted with it could not, in a short time, forget it; that a few men should go with him to prevent his escape; and that if he did not discover and take us into the hunters' road that led from the east into Kaskaskia, which he had frequently described, I would have him immediately put to death, which I was determined to have done; but, after a search of an hour or two, he came to a place that he knew perfectly, and we discovered that the poor fellow had been, as they call it, bewildered.

“On the 4th of July, in the evening, we got within a few miles of the town, where we lay until near dark, keeping spies ahead, after which we commenced our march, and took possession of a house wherein a large family lived, on the bank of the Kaskaskia river, about three-quarters of a mile above the town. Here we were informed that the people, a few days before, were under arms, but had concluded that the cause of the alarm was without foundation; and that at that time there was a great number of men in town, but that the Indians had generally left it, and at present all was quiet. We soon procured a sufficiency of vessels, the more in ease to convey us across the river. * * * With one of the divisions I marched to the fort, and ordered the other two into different quarters of the town. If I met with no resistance, at a certain signal a general shout was to be given, and certain parts were to be immediately possessed; and the men of each detachment who could speak the French language were to run through every street and proclaim what had happened, and inform the inhabitants that every person who appeared in the streets would be shot down. This disposition had its desired effect. In a very little time we had complete possession, and every avenue was guarded to prevent any escape, to give the alarm to the other villages in case of opposition. Various orders had been issued not worth mentioning. I don't suppose greater silence ever reigned among the inhabitants of a place than did at this at present; not a person to be seen, not a word to be heard from them for some time; but, designedly, the

greatest noise kept up by our troops through every quarter of the town, and patrols continually the whole night round it, as intercepting any information was a capital object; and in about two hours the whole of the inhabitants were disarmed and informed that if one was taken attempting to make his escape he should be immediately put to death."

Early on the morning of the 5th of July, a few of the principal residents of Kaskaskia were arrested and "put in irons." Soon afterward a small number of aged inhabitants of the place, accompanied by their priest, M. Gibault, visited the headquarters of Clark, and were received with kindness. He told them that, as the king of France had united his arms with those of America, the war would not continue long; but that the inhabitants of Kaskaskia were "at liberty to take which side they pleased, without the least danger to either their property or families." "And now," said Clark, "to prove my sincerity, you will please inform your fellow-citizens that they are quite at liberty to conduct themselves as usual, without the least apprehension."

The news of the treaty of alliance between France and the United States, and the influence of the magnanimous conduct of Clark, induced the French villagers to take the oath of allegiance to the state of Virginia. Their arms were restored to them, and a volunteer company of French militia joined a detachment under Captain Bowman, when that officer was dispatched to take possession of Cahokia. The inhabitants of this small village readily took the oath of allegiance to Virginia.

The memoir of Clark proceeds: "Post Vincennes never being out of my mind, and from some things that I had learned, I had some reason to suspect that Mr. Gibault, the priest, was inclined to the American interest previous to our arrival in the country. He had great influence over the people at this period, and Post Vincennes was under his jurisdiction. I made no doubt of his integrity to us. I sent for him, and had a long conference with him on the subject of Post Vincennes. In answer to all my queries he informed me that he did not think it worth my while to cause any military preparation to be made at the falls of the Ohio for the attack of Post Vincennes, although the place was strong and a great number of Indians in its neighborhood, who, to

his knowledge, were generally at war; that Governor Abbott had, a few weeks before, left the place on some business to Detroit; that he expected that when the inhabitants were fully acquainted with what had passed at the Illinois, and the present happiness of their friends, and made fully acquainted with the nature of the war, that their sentiments would greatly change; that he knew that his appearance there would have great weight, even among the savages; that if it was agreeable to me he would take this business on himself, and had no doubt of his being able to bring that place over to the American interest without my being at the trouble of marching against it; that his business being altogether spiritual, he wished that another person might be charged with the temporal part of the embassy, but that he would privately direct the whole; and he named Dr. Lafont as his associate.

“This was perfectly agreeable to what I had been secretly aiming at for some days. The plan was immediately settled, and the two doctors, with their intended retinue, among whom I had a spy, set about preparing for their journey, and set out on the 14th of July, with an address to the inhabitants of Post Vincennes, authorizing them to garrison their own town themselves, which would convince them of the great confidence we put in them, etc. All this had its desired effect. Mr. Gibault and his party arrived safe, and, after their spending a day or two in explaining matters to the people, they universally acceded to the proposal (except a few emissaries left by Mr. Abbott, who immediately left the country) and went in a body to the church, where the oath of allegiance was administered to them in the most solemn manner. An officer was elected, the fort immediately [garrisoned], and the American flag displayed, to the astonishment of the Indians, and everything settled far beyond our most sanguine hopes. The people here immediately began to put on a new face, and to talk in a different style, and to act as perfect freemen. With a garrison of their own, with the United States at their elbow, their language to the Indians was immediately altered. They began as citizens of the United States, and informed the Indians that their old father, the king of France, was come to life again, and was mad at them for fighting for the English; that they would advise them to make peace with the Americans as soon as they could, otherwise they might expect

the land to be very bloody, etc. The Indians began to think seriously. Throughout the country this was now the kind of language they generally got from their ancient friends of the Wabash and Illinois. Through the means of their correspondence spreading among the nations, our batteries began now to play in a proper channel. Mr. Gibault and party, accompanied by several gentlemen of Post Vincennes, returned to Kaskaskia, about the 1st of August, with the joyful news."

Referring to his condition at this time, General Clark, in his Memoir, says: "I was exceedingly engaged in regulating things in the Illinois. The reduction of these posts was the period of the enlistment of our troops. I was at a great loss at this time to determine how to act, and how far I might venture to strain my authority. My instructions were silent on many important points, as it was impossible to foresee the events that would take place. To abandon the country and all the prospects that opened to our view in the Indian department at this time, for the want of instruction in certain cases, I thought would amount to a reflection on government, as having no confidence in me. I resolved to usurp all the authority necessary to carry my points. I had the greater part of our [troops] reenlisted on a different establishment—commissioned French officers in the country to command a company of the young inhabitants; established a garrison at Cahokia, commanded by Captain Bowman, and another at Kaskaskia, commanded by Captain Williams. Post Vincennes remained in the situation as mentioned. Colonel William Linn, who had accompanied us a volunteer, took charge of a party that was to be discharged on their arrival at the falls, and orders were sent for the removal of that post to the main-land. Captain John Montgomery was dispatched to government with letters. * * * I again turned my attention to Post Vincennes. I plainly saw that it would be highly necessary to have an American officer at that post. Captain Leonard Helm appeared calculated to answer my purpose; he was past the meridian of life, and a good deal acquainted with the Indian [disposition]. I sent him to command at that post, and also appointed him agent for Indian affairs in the department of the Wabash. * * * About the middle of August he set out to take possession of his new command.

"An Indian chief called the Tobacco's Son, a Piankeshaw, at this time resided in a village adjoining Post Vincennes. This man was called by the Indians 'The Grand Door to the Wabash,' and as nothing of consequence was to be undertaken by the league on the Wabash without his assent, I discovered that to win him was an object of signal importance. I sent him a spirited compliment by Mr. Gibault; he returned it. I now, by Captain Helm, touched him on the same spring that I had done the inhabitants, and sent a speech, with a belt of wampum, directing Captain Helm how to manage if the chief was pacifically inclined or otherwise. The captain arrived safe at Post Vincennes, and was received with acclamations by the people. After the usual ceremony was over, he sent for the Grand Door and delivered my letter to him. After having it read, he informed the captain that he was happy to see him, one of the Big Knife chiefs, in this town—it was here he had joined the English against him, but he confessed that he always thought that they looked gloomy; that as the contents of the letter was a matter of great moment, he could not give an answer for some time; that he must collect his counselors on the subject; and was in hopes the captain would be patient. In short, he put on all the courtly dignity that he was master of, and Captain Helm, following his example, it was several days before this business was finished, as the whole proceeding was very ceremonious. At length the captain was invited to the Indian council and informed by the Tobacco that they had maturely considered the case in hand and had got the nature of the war between the English and us explained to their satisfaction; that, as we spoke the same language, and appeared to be the same people, he always thought that he was in the dark as to the truth of it; but now the sky was cleared up; that he found that the Big Knife was in the right; that perhaps, if the English conquered, they would serve them in the same manner that they intended to serve us; that his ideas were quite changed; and that he would tell all the red people on the Wabash to bloody the land no more for the English. He jumped up, struck his breast, called himself a man and a warrior, said that he was now a Big Knife, and took Captain Helm by the hand. His example was followed by all present, and the evening was spent in merri-ment. Thus ended this valuable negotiation, and the saving of

much blood. * * * In a short time almost the whole of the various tribes of the different nations on the Wabash, as high as the Ouiatenon, came to Post Vincennes and followed the example of the Grand Door chief, and as expresses were continually passing between Captain Helm and myself the whole time of these treaties, the business was settled perfectly to my satisfaction, and greatly to the advantage of the public. The British interest daily lost ground in this quarter, and in a short time our influence reached the Indians on the river St. Joseph and the border of Lake Michigan. The French gentlemen at the different posts that we now had possession of engaged warmly in our interest. They appeared to vie with each other in promoting the business, and through the means of their correspondence, trading among the Indians and otherwise, in a short time the Indians of the various tribes inhabiting the region of Illinois, came in great numbers to Cahokia, in order to make treaties of peace with us. From the information they generally got from the French gentlemen (whom they implicitly believed) respecting us, they were truly alarmed; and consequently we were visited by the greater part of them, without any invitation from us. Of course we had greatly the advantage, in making use of such language as suited our [interest]. Those treaties, which commenced about the last of August and continued between three and four weeks, were probably conducted in a way different from any other known in America at that time. I had been always convinced that our general conduct with the Indians was wrong; that inviting them to treaties was considered by them in a different manner to what we expected, and imputed by them to fear, and that giving them great presents confirmed it. I resolved to guard against this, and I took good pains to make myself acquainted fully with the French and Spanish methods of treating Indians, and with the manners, genius and disposition of the Indians in general. As in this quarter they had not yet been spoiled by us, I was resolved that they should not be. I began the business fully prepared, having copies of the British treaties."

At the first great council, which was opened at Cahokia, an Indian chief, with a belt of peace in his hand, advanced to the table at which Colonel Clark was sitting; another chief, bearing the sacred pipe of the tribe, went forward to the table; and a

third chief then advanced with fire to kindle the pipe. When the pipe was lighted it was figuratively presented to the heavens, then to the earth, and then to all the good spirits; thus invoking the heavens, the earth, and all the good spirits to witness what was about to be done. After the observance of these forms, the pipe was presented to Clark, and afterward to every person present. An Indian speaker then addressed the Indians as follows:

“Warriors, you ought to be thankful that the Great Spirit has taken pity on you, and cleared the sky, and opened your ears and hearts, so that you may hear the truth. We have been deceived by bad birds flying through the land; but we will take up the bloody hatchet no more against the Big Knife; and we hope, as the Great Spirit has brought us together for good, as he is good, that we may be received as friends, and that the belt of peace may take the place of the bloody belt.”

“I informed them,” says Clark, “that I had paid attention to what they had said, and that on the next day I would give them an answer, when I hoped the ears and hearts of all people would be open to receive the truth which should be spoken without deception. I advised them to keep themselves prepared for the result of this day, on which perhaps their very existence as a nation depended, etc., and dismissed them—not suffering any of our people to shake hands with them, as peace was not yet concluded—telling them it was time enough to give the hand when the heart could be given also. They replied that ‘such sentiments were like men who had but one heart, and did not speak with a double tongue.’ The next day I delivered them the following speech:

“Men and warriors, pay attention to my words. You informed me yesterday that the Great Spirit had brought us together, and that you hoped, as he was good, that it would be for good. I have also the same hope, and expect that each party will strictly adhere to whatever may be agreed upon—whether it be peace or war—and henceforward prove ourselves worthy of the attention of the Great Spirit. I am a man and a warrior, not a counselor. I carry war in my right hand, and in my left peace. I am sent by the great council of the Big Knife and their friends to take possession of all the towns possessed by the English in this coun-

try, and to watch the motions of the red people ; to bloody the paths of those who attempt to stop the course of the river, but to clear the roads from us to those who desire to be in peace, that the women and children may walk in them without meeting anything to strike their feet against. I am ordered to call upon the Great Fire for warriors enough to darken the land, and that the red people may hear no sound but of birds who live on blood. I know there is a mist before your eyes. I will dispel the clouds, that you may clearly see the cause of the war between the Big Knife and the English ; then you may judge for yourselves which party is in the right ; and if you are warriors, as you profess to be, prove it by adhering faithfully to the party which you shall believe to be entitled to your friendship, and do not show yourselves to be squaws.

“The Big Knives are very much like the red people ; they don't know how to make blankets and powder and cloth. They buy these things from the English, from whom they are sprung. They live by making corn, hunting and trade, as you and your neighbors the French do. But the Big Knives, daily getting more numerous, like the trees in the woods, the land became poor and hunting scarce ; and having but little to trade with, the women began to cry at seeing their children naked, and tried to learn how to make clothes for themselves. They soon made blankets for their husbands and children, and the men learned to make guns and powder. In this way we did not want to buy so much from the English. They then got mad with us, and sent strong garrisons through our country, as you see they have done among you on the lakes and among the French. They would not let our women spin, nor our men make powder, nor let us trade with anybody else. The English said we should buy everything from them, and, since we had got saucy, we should give two bucks for a blanket which we used to get for one—we should do as they pleased ; and they killed some of our people to make the rest fear them. This is the truth and the real cause of the war between the English and us, which did not take place for some time after this treatment.

“But our women became cold and hungry and continued to cry. Our young men got lost for want of counsel to put them in the right path. The whole land was dark. The old men held

down their heads for shame, because they could not see the sun, and thus there was mourning for many years over the land. At last the Great Spirit took pity on us, and kindled a great council fire that never goes out, at a place called Philadelphia. He then stuck down a post and put a war tomahawk by it, and went away. The sun immediately broke out—the sky was blue again—and the old men held up their heads and assembled at the fire. They took up the hatchet, sharpened it, and put it into the hands of our young men, ordering them to strike the English as long as they could find one on this side of the great waters. The young men immediately struck the war post, and blood was shed. In this way the war began, and the English were driven from one place to another, until they got weak, and then they hired you red people to fight for them. The Great Spirit got angry at this, and caused your old father, the French king, and other great nations, to join the Big Knives, and fight with them against all their enemies. So the English have become like deer in the woods, and you may see that it is the Great Spirit that has caused your waters to be troubled because you have fought for the people he was mad with. If your women and children should now cry you must blame yourselves for it, and not the Big Knives.

“You can now judge who is in the right. I have already told you who I am. Here is a bloody belt and a white one—take which you please. Behave like men, and don’t let your being surrounded by the Big Knives cause you to take up the one belt with your hands, while your hearts take up the other. If you take the bloody path you shall leave the town in safety, and may go and join your friends, the English. We will then try, like warriors, who can put the most stumbling-blocks in each other’s way, and keep our clothes longest stained with blood. If, on the other hand, you should take the path of peace, and be received as brothers to the Big Knives, with their friends, the French, should you then listen to bad birds that may be flying through the land, you will no longer deserve to be counted as men, but as creatures with two tongues, that ought to be destroyed without listening to anything you might say. As I am convinced you never heard the truth before, I do not wish you to answer before you have taken time to

counsel. We will, therefore, part this evening, and when the Great Spirit shall bring us together again, let us speak and think like men with but one heart and one tongue."

Governor Henry, of Virginia, soon received intelligence of the successful progress of the expedition under the command of Clark. The French inhabitants of the villages of Kaskaskia, Cahokia and Post Vincennes, having taken the oath of allegiance to the state of Virginia, the General Assembly of that state, in October, 1778, passed an act which contained the following provisions, viz: All the citizens of the commonwealth of Virginia, "who are already settled or shall hereafter settle on the western side of the Ohio, shall be included in a distinct county, which shall be called Illinois county; and the governor of this commonwealth, with the advice of the council, may appoint a county lieutenant, or commandant-in-chief in that county, during pleasure, who shall appoint and commission so many deputy-commandants, militia officers and commissaries, as he shall think proper, in the different districts, during pleasure, all of whom, before they enter into office, shall take the oath of fidelity to this commonwealth and the oath of office, according to the form of their own religion. And all civil officers to which the inhabitants have been accustomed, necessary for the preservation of the peace and the administration of justice, shall be chosen by a majority of the citizens in their respective districts, to be convened for that purpose by the county lieutenant or commandant or his deputy, and shall be commissioned by the said county lieutenant or commandant-in-chief."

Before the provisions of this law were carried into effect, Henry Hamilton, the British lieutenant-governor of Detroit, collected an army, consisting of about thirty regulars, fifty French volunteers and four hundred Indians. With this force he passed down the river Wabash, and took possession of Post Vincennes on the 15th of December, 1778. No attempt was made by the population to defend the town. Captain Helm was taken and detained as a prisoner, and a number of the French inhabitants were disarmed.

The following anecdote is related in Butler's History of Kentucky, p. 80:

"When Governor Hamilton entered Vincennes, there were but two Americans there, Captain Helm, the commandant, and one

Henry. The latter had a cannon well charged and placed in the open fort gate, while Helm stood by it with a lighted match in his hand. When Hamilton and his troops got within hailing distance, the American officer, in a loud voice, cried out, 'Halt!' This stopped the movements of Hamilton, who, in reply, demanded a surrender of the garrison. Helm exclaimed with an oath, 'No man shall enter until I know the terms.' Hamilton answered, 'You shall have the honors of war;' and then the fort was surrendered, with its garrison of one officer and one private."

1779. Soon after the reduction of Post Vincennes the situation of Colonel Clark became perilous. Detached parties of hostile Indians began to appear in the neighborhood of his forces in the Illinois. He ordered Major Bowman to evacuate the fort at Cahokia, and join him at Kaskaskia. In his memoir Clark says:

"I could see but little probability of keeping possession of the country, as my number of men was too small to stand a siege and my situation too remote to call for assistance. I made all the preparation I possibly could for the attack, and was necessitated to set fire to some of the houses in town to clear them out of the way. But, on the 29th of January, 1779, in the height of the hurry, a Spanish merchant [Francis Vigo], who had been at Post Vincennes, arrived and gave the following intelligence: That Mr. Hamilton had weakened himself by sending his Indians against the frontiers and to block up the Ohio; that he had not more than eighty men in garrison, three pieces of cannon, and some swivels mounted; that the hostile Indians were to meet at Post Vincennes in the spring, drive us out of the Illinois, and attack the Kentucky settlements in a body, joined by their southern friends; that all the goods were taken from the merchants of Post Vincennes for the king's use; that the troops under Hamilton were repairing the fort, and expected a reinforcement from Detroit in the spring; that they appeared to have plenty of all kinds of stores; that they were strict in their discipline, but that he did not believe they were under much apprehension of a visit; and believed that, if we could get there undiscovered, we might take the place. In short, we got every information from this gentleman that we could wish for, as he had had good opportunities and had taken great pains to inform himself with a design to give intelligence. We

now viewed ourselves in a very critical situation—in a manner cut off from any intercourse between us and the United States. We knew that Governor Hamilton, in the spring, by a junction of his northern and southern Indians (which he had prepared for), would be at the head of such a force that nothing in this quarter could withstand his arms; that Kentucky must immediately fall, and well if the desolation would end there. If we could immediately make our way good to Kentucky, we were convinced that before we could raise a force even sufficient to save that country, it would be too late, as all the men in it, joined by the troops we had, would not be sufficient, and to get timely succor from the interior counties was out of the question. We saw but one alternative, which was to attack the enemy in their quarters. If we were fortunate it would save the whole. If otherwise, it would be nothing more than what would certainly be the consequence if we should not make the attempt. * * * These and many other similar reasons induced us to resolve to attempt the enterprise, which met with the approbation of every individual belonging to us.

“Orders were immediately issued for preparations. The whole country took fire at the alarm, and every order was executed with cheerfulness by every description of the inhabitants—preparing provisions, encouraging volunteers, etc., and as we had plenty of stores, every man was completely rigged with what he could desire to withstand the coldest weather. * * * To convey our artillery and stores it was concluded to send a vessel round by water, so strong that she might force her way. A large Mississippi boat was immediately purchased and completely fitted out as a galley, mounting two four-pounders and four large swivels. She was manned by forty-six men, under command of Captain John Rogers. He set sail on the 4th of February, with orders to force his way up the Wabash as high as the mouth of White river.

“Everything being ready, on the 5th of February, after receiving a lecture and absolution from the priest, we crossed the Kaskaskia river with one hundred and seventy men, marched about three miles and encamped, where we lay until the [7th] and set out. The weather was wet (but fortunately not cold for the season) and a great part of the plains under water several inches deep. It was difficult and very fatiguing marching. My object was now

to keep the men in spirits. I suffered them to shoot game on all occasions, and feast on it like Indian war-dancers—each company by turns inviting the others to their feasts, which was the case every night, as the company that was to give the feast was always supplied with horses to lay up a sufficient store of wild meat in the course of the day, myself and principal officers putting on the woodsmen, shouting now and then, and running as much through the mud and water as any of them. Thus, insensibly, without a murmur, were those men led on to the banks of the Little Wabash, which we reached on the 13th, through incredible difficulties, far surpassing anything that any of us had ever experienced. Frequently the diversions of the night wore off the thoughts of the preceding day. We formed a camp on a height which we found on the bank of the river, and suffered our troops to amuse themselves. I viewed this sheet of water for some time with distrust; but, accusing myself of doubting, I immediately set to work, without holding any consultation about it, or suffering anybody else to do so in my presence; ordered a pirogue to be built immediately, and acted as though crossing the water would be only a piece of diversion. As but few could work at the pirogue at a time, pains were taken to find diversion for the rest to keep them in high spirits. * * * In the evening of the 14th our vessel was finished, manned, and sent to explore the drowned lands on the opposite side of the Little Wabash, with private instructions what report to make, and, if possible, to find some spot of dry land. They found about half an acre, and marked the trees from thence back to the camp, and made a very favorable report.

“Fortunately, the 15th happened to be a warm, moist day for the season. The channel of the river where we lay was about thirty yards wide. A scaffold was built on the opposite shore (which was about three feet under water) and our baggage ferried across and put on it; our horses swam across and received their loads at the scaffold, by which time the troops were also brought across, and we began our march through the water. * * *

“By evening we found ourselves encamped on a pretty height, in high spirits, each party laughing at the other in consequence of something that had happened in the course of this ferrying business, as they called it. A little antic drummer afforded them great

diverson by floating on his drum, etc. All this was greatly encouraged, and they really began to think themselves superior to other men, and that neither the rivers nor the seasons could stop their progress. Their whole conversation now was concerning what they would do when they got about the enemy. They now began to view the main Wabash as a creek, and made no doubt but such men as they were could find a way to cross it. They wound themselves up to such a pitch that they soon took Post Vincennes, divided the spoil, and before bed-time were far advanced on their route to Detroit. All this was no doubt pleasing to those of us who had more serious thoughts. * * * We were now convinced that the whole of the low country on the Wabash was drowned, and that the enemy could easily get to us if they discovered us and wished to risk an action; if they did not, we made no doubt of crossing the river by some means or other. Even if Captain Rogers, with our galley, did not get to his station agreeable to his appointment, we flattered ourselves that all would be well, and marched on in high spirits."

Here follows an extract from the manuscript journal of Major Bowman:

"February 16th, 1779. Marched all day through rain and water. Crossed the Fur river. Our provisions begin to be short.

"17th. Marched early; crossed several runs very deep; sent Mr. Kernedy, our commissary, with three men, to cross the river Embarrass, if possible, and proceed to a plantation opposite Post Vincennes, in order to steal boats or canoes to ferry us across the Wabash. About an hour by sun we got near the river Embarrass; found the country all overflowed with water. We strove to find the Wabash. Traveled till eight o'clock in mud and water, but find no place to encamp on. Still keep marching on, but after some time Mr. Kernedy and his party returned. Found it impossible to cross the Embarrass river. We found the water falling from a small spot of ground. Staid there the remainder of the night. Drizzly and dark weather.

"18th. At daybreak heard Governor Hamilton's morning gun. Set off and marched down the river [Embarrass]; saw some fine land. About two o'clock came to the bank of the Wabash; made rafts for four men to cross, and go up to town and steal

boats, but they spent the day and night in the water to no purpose, for there was not one foot of dry land to be found.

"19th. Captain McCarty's company set to making a canoe, and at three o'clock the four men returned, after spending the night on some logs in the water. The canoe finished. Captain McCarty, with three of his men, embarked in the canoe, and made the next attempt to steal boats, but he soon returned, having discovered four large fires about a league distant from our camp; they seemed to be fires of whites and Indians. Immediately Colonel Clark sent two men in the canoe down to meet the galley, with orders to come on day and night—that being our last hope, and [we] starving. Many of the men much cast down—particularly the volunteers. No provision of any sort, now two days. Hard fortune.

"20th. Camp very quiet, but hungry. Some almost in despair. Many of the Creole volunteers talking of returning. Fell to making more canoes, when, about twelve o'clock, our sentry on the river brought to a boat with five Frenchmen from the fort, who told us we were not as yet discovered—that the inhabitants were well disposed to us, etc. * * * They informed us of two canoes they had seen adrift some distance above us. Ordered that Captain Worthington, with a party, go in search of them. Returned late with one only. One of our men killed a deer, which was brought into camp very acceptably.

"21st. At break of day began to ferry our men over [the Wabash] in two canoes, to a small hill called the Mamelle. Captain Willaims, with two men, went to look for a passage, and were discovered by two men in a canoe, but could not fetch them to. The whole army being over, we thought to get to town that night, so plunged into the water, sometimes to the neck, for more than one league, when we stopped on a hill of the same name, there being no dry land on any side for many leagues. Our pilots say we can not get along—that it is impossible. The whole army being over, we encamped. Rain all this day. No provisions."

Referring to the march on the 20th, Clark, in his Memoir, says: "Many of our volunteers began, for the first time, to despair. Some talked of returning, but my situation now was such that I was past all uneasiness. I laughed at them without persuading or ordering them to desist from any such attempt, but told them I

should be glad if they would go out and kill some deer. They went, confused with such conduct. My own troops I knew had no idea of abandoning an enterprise for the want of provisions, while there were plenty of good horses in their possession; and I knew that, without any violence, the volunteers could be detained for a few days, in the course of which time our fate would be known. I conducted myself in a manner that caused the whole to believe that I had no doubt of success, which kept their spirits up."

The memoir of Clark proceeds: "This last day's march through the water was far superior to any thing the Frenchmen had an idea of. They were backward in speaking—said that the nearest land to us was a small league called the Sugar Camp, on the bank of the [river?]. A canoe was sent off, and returned without finding that we could pass. I went in her myself, and sounded the water; found it deep as to my neck. I returned with a design to have the men transported on board the canoes to the Sugar Camp, which I knew would spend the whole day and ensuing night as the vessels would pass slowly through the bushes. The loss of so much time, to men half starved, was a matter of consequence. I would have given now a great deal for a day's provision, or for one of our horses. I returned but slowly to the troops, giving myself time to think. On our arrival, all ran to hear what was the report. Every eye was fixed on me. I unfortunately spoke in a serious manner to one of the officers; the whole were alarmed without knowing what I said. I viewed their confusion for about one minute; whispered to those near me to do as I did; immediately put some water in my hand, poured on powder, blackened my face, gave the war-whoop, and marched into the water, without saying a word. The party gazed, and fell in, one after another, without saying a word, like a flock of sheep. I ordered those near me to begin a favorite song of theirs; it soon passed through the line, and the whole went on cheerfully. I now intended to have them transported across the deepest part of the water; but when about waist deep one of the men informed me that he thought he felt a path. We examined and found it so, and concluded that it kept on the highest ground, which it did, and by taking pains to follow it, we got to the sugar camp without the least difficulty,

where there was about half an acre of dry ground, at least not under water, where we took up our lodging.

“The Frenchmen that we had taken on the river appeared to be uneasy at our situation. They begged that they might be permitted to go in the two canoes to town in the night. They said that they would bring from their own houses provisions, without a possibility of any persons knowing it; that some of our men should go with them, as a surety of their good conduct; that it was impossible we could march from that place till the water fell, for the plain was too deep to march. Some of the [officers?] believed that it might be done. I would not suffer it. I never could well account for this piece of obstinacy, and give satisfactory reasons to myself or anybody else why I denied a proposition apparently so easy to execute and of so much advantage; but something seemed to tell me that it should not be done, and it was not done.

“The most of the weather that we had on this march was moist and warm for the season. This was the coldest night we had. The ice in the morning was from one-half to three-quarters of an inch thick near the shores and in still water. The morning was the finest we had on our march. A little after sunrise I lectured the whole. What I said to them I forget; but it may be easily imagined by a person that could possess my affections for them at that time. I concluded by informing them that passing the plain that was then in full view and reaching the opposite woods would put an end to their fatigue; that in a few hours they would have a sight of their long-wished-for object, and immediately stepped into the water without waiting for any reply. A huzza took place. As we generally marched through the water in a line, before the third entered I halted and called to Major Bowman, ordering him to fall in the rear with twenty-five men, and put to death any man who refused to march, as we wished to have no such person among us. The whole gave a cry of approbation, and on we went.

“This was the most trying of all the difficulties we had experienced. I generally kept fifteen or twenty of the strongest men next myself, and judged from my own feelings what must be that of others. Getting about the middle of the plain, the water about mid-deep, I found myself sensibly failing; and as there were no

trees nor bushes for the men to support themselves by, I feared that many of the most weak would be drowned. I ordered the canoes to make the land, discharge their loading, and ply backward and forward with all diligence and pick up the men; and, to encourage the party, sent some of the strongest men forward, with orders, when they got to a certain distance, to pass the word back that the water was getting shallow, and when getting near the woods to cry out 'Land!' This stratagem had its desired effect. The men, encouraged by it, exerted themselves almost beyond their abilities, the weak holding by the stronger. * * * The water never got shallower, but continued deepening. Getting to the woods, where the men expected land, the water was up to my shoulders; but gaining the woods was of great consequence—all the low men and the weakly hung to the trees and floated on the old logs until they were taken off by the canoes. The strong and tall got ashore and built fires. Many would reach the shore and fall with their bodies half in the water, not being able to support themselves without it.

"This was a delightful dry spot of ground, of about ten acres. We soon found that the fires answered no purpose, but that two strong men taking a weaker one by the arms was the only way to recover him, and, being a delightful day, it soon did. But fortunately, as if designed by Providence, a canoe of Indian squaws and children was coming up to town, and took through part of this plain as a nigh way. It was discovered by our canoes as they were out after the men. They gave chase and took the Indian canoe, on board of which was near half a quarter of a buffalo, some corn, tallow, kettles, etc. This was a grand prize, and was invaluable. Broth was immediately made and served out to the most weakly, with great care; most of the whole got a little, but a great many gave their part to the weakly, jocosely saying something cheering to their comrades. This little refreshment and fine weather, by the afternoon, gave new life to the whole. Crossing a narrow, deep lake in the canoes, and marching some distance, we came to a copse of timber called the Warrior's Island.

"We were now in full view of the fort and town, not a shrub between us, at about two miles' distance. Every man now feasted his eyes, and forgot that he had suffered anything—saying that all

that had passed was owing to good policy, and nothing but what a man could bear, and that a soldier had no right to think, etc., passing from one extreme to another, which is common in such cases. It was now we had to display our abilities. The plain between us and the town was not a perfect level. The sunken grounds were covered with water full of ducks. We observed several men out on horseback, shooting them, within a half mile of us, and sent out as many of our active young Frenchmen to decoy and take one of these men prisoners in such a manner as not to alarm the others, which they did. The information we got from this person was similar to that which we got from those we took on the river, except that of the British having that evening completed the wall of the fort, and that there was a good many Indians in town.

“Our situation was now truly critical; no possibility of retreating in case of defeat, and in full view of a town that had, at this time, upward of six hundred men in it, troops, inhabitants and Indians. The crew of the galley, though not fifty men, would have been now a reinforcement of immense magnitude to our little army (if I may so call it), but we would not think of them. We were now in the situation that I had labored to get ourselves in. The idea of being made prisoner was foreign to almost every man, as they expected nothing but torture from the savages if they fell into their hands. Our fate was now to be determined, probably in a few hours. We knew that nothing but the most daring conduct would insure success. I knew that a number of the inhabitants wished us well; that many were lukewarm to the interest of either, and, I also learned, that the grand chief, the Tobacco’s Son, had, but a few days before, openly declared in council with the British, that he was a brother and friend to the Big Knives. These were favorable circumstances, and as there was but little probability of our remaining until dark undiscovered, I determined to begin the career immediately, and wrote the following placard to the inhabitants:

“TO THE INHABITANTS OF POST VINCENNES—Gentlemen: Being now within two miles of your village, with my army, determined to take your fort this night, and not being willing to surprise you, I take this method to request such of you as are true citizens,

and willing to enjoy the liberty I bring you, to remain still in your houses. And those, if any there be, that are friends to the king, will instantly repair to the fort and join the hair-buyer general, and fight like men. And if any such as do not go to the fort shall be discovered afterwards, they may depend on severe punishment. On the contrary, those who are true friends to liberty may depend on being well treated, and I once more request them to keep out of the streets; for every one I find in arms on my arrival I shall treat him as an enemy. [Signed] G. R. CLARK.'

"I had various ideas on the supposed results of this letter. I knew that it could do us no damage, but that it would cause the lukewarm to be decided, encourage our friends and astonish our enemies. * * * We anxiously viewed this messenger until he entered the town, and in a few minutes could discover, by our glasses, some stir in every street that we could penetrate into, and great numbers running or riding out into the commons, we supposed to view us, which was the case. But what surprised us was that nothing had yet happened that had the appearance of the garrison being alarmed; no drum nor gun. We began to suppose that the information we got from our prisoners was false, and the enemy already knew of us and were prepared.

"A little before sunset we moved and displayed ourselves in full view of the town—crowds gazing at us. We were plunging ourselves into certain destruction or success. There was no mid-way thought of. We had but little to say to our men, except inculcating an idea of the necessity of obedience, etc. We knew they did not want encouraging, and that anything might be attempted with them that was possible for such a number—perfectly cool, under proper subordination, pleased with the prospect before them, and much attached to their officers. They all declared that they were convinced that an implicit obedience to orders was the only thing that would insure success, and hoped that no mercy would be shown the person that should violate them. Such language as this from soldiers to persons in our station must have been exceedingly agreeable.

"We moved on slowly in full view of the town; but, as it was a point of some consequence to us to make ourselves appear as formidable, we, in leaving the covert that we were in, marched and

countermarched in such a manner that we appeared numerous. In raising volunteers in the Illinois, every person that set about the business had a set of colors given him, which they brought with them to the amount of ten or twelve pairs. These were displayed to the best advantage, and as the low plain we marched through was not a perfect level, but had frequent raisings in it seven or eight feet higher than the common level (which was covered with water), and as these raisings generally ran in oblique direction to the town, we took the advantage of one of them, marching through the water under it, which completely prevented our being numbered. But our colors showed considerably above the heights, as they were fixed on long poles procured for the purpose, and at a distance made no despicable appearance; and as our young Frenchmen had, while we lay on the Warrior's Island, decoyed and taken several fowlers, with their horses, officers were mounted on these horses, and rode about more completely to deceive the enemy. In this manner we moved, and directed our march in such a way as to suffer it to be dark before we had advanced more than half way to the town. We then suddenly altered our direction and crossed ponds where they could not have suspected us, and about eight o'clock gained the heights back of the town. As there was yet no hostile appearance, we were impatient to have the cause unriddled. Lieutenant Bayley was ordered, with fourteen men, to march and fire on the fort. The main body moved in a different direction, and took possession of the strongest part of the town.

"The firing now commenced on the fort, but they did not believe it was an enemy, until one of their men was shot down through a port, as drunken Indians frequently saluted the fort after night. The drums now sounded, and the business fairly commenced on both sides. Reinforcements were sent to the attack of the garrison, while other arrangements were making in town. * * We now found that the garrison had known nothing of us; that, having finished the fort that evening, they had amused themselves at different games, and had just retired before my letter arrived, as it was near roll-call. The placard being made public, many of the inhabitants were afraid to show themselves out of the houses for fear of giving offense, and not one dare give information. Our friends flew to the commons and other convenient places to view

the pleasing sight. This was observed from the garrison, and the reason asked, but a satisfactory excuse was given; and as a part of the town lay between our line of march and the garrison, we could not be seen by the sentinels on the walls. Captain W. Shannon and another being some time before taken prisoners by one of their [scouting parties] and that evening brought in, the party had discovered at the sugar camp some signs of us. They supposed it to be a party of observation that intended to land on the height some distance below the town. Captain Lamotte was sent to intercept them. It was at him the people said they were looking when they were asked the reason of their unusual stir.

“Several suspected persons had been taken to the garrison; among them was Mr. Moses Henry. Mrs. Henry went, under the pretense of carrying him provisions, and whispered him the news and what she had seen. Mr. Henry conveyed it to the rest of his fellow-prisoners, which gave them much pleasure, particularly Captain Helm, who amused himself very much during the siege, and, I believe, did much damage.

“Ammunition was scarce with us, as the most of our stores had been put on board the galley. Though her crew was but few, such a reinforcement to us, at this time, would have been invaluable in many instances. But, fortunately, at the time of its being reported that the whole of the goods in the town were to be taken for the king's use (for which the owners were to receive bills), Colonel Legras, Major Bosseron, and others, had buried the greatest part of their powder and ball. This was immediately produced, and we found ourselves well supplied by those gentlemen.

“The Tobacco's Son being in town with a number of warriors, immediately mustered them, and let us know that he wished to join us, saying that by the morning he would have a hundred men. He received for answer that we thanked him for his friendly disposition; and as we were sufficiently strong ourselves, we wished him to desist, and that we would counsel on the subject in the morning; and as we knew that there were a number of Indians in and near the town that were our enemies, some confusion might happen if our men should mix in the dark; but hoped that we might be favored with his counsel and company during the night—which was agreeable to him.

“The garrison was soon completely surrounded, and the firing continued without intermission (except about fifteen minutes a little before day) until about nine o’clock the following morning. It was kept up by the whole of the troops—joined by a few of the young men of the town, who got permission—except fifty men kept as a reserve. * * * I had made myself fully acquainted with the situation of the fort and town, and the parts relative to each. The cannon of the garrison was on the upper floors of strong blockhouses, at each angle of the fort, eleven feet above the surface; and the ports so badly cut that many of our troops lay under the fire of them within twenty or thirty yards of the walls. They did no damage, except to the buildings of the town, some of which they much shattered; and their musketry, in the dark, employed against woodsmen covered by houses, palings, ditches, the banks of the river, etc., was but of little avail, and did no injury to us except wounding a man or two. As we could not afford to lose men, great care was taken to preserve them sufficiently covered, and to keep up a hot fire in order to intimidate the enemy as well as to destroy them. The embrasures of their cannon were frequently shut, for our riflemen, finding the true direction of them, would pour in such volleys when they were opened that the men could not stand to their guns; seven or eight of them in a short time got cut down. Our troops would frequently abuse the enemy in order to aggravate them to open their ports and fire their cannon, that they might have the pleasure of cutting them down with their rifles—fifty of which, perhaps, would be leveled the moment the port flew open; and I believe if they had stood at their artillery the greater part of them would have been destroyed in the course of the night, as the greater part of our men lay within thirty yards of the walls; and in a few hours were covered equally to those within the walls, and much more experienced in that mode of fighting. * * *

“Sometimes an irregular fire, as hot as possible, was kept up from different directions for a few minutes, and then only a continual scattering fire at the ports as usual; and a great noise and laughter immediately commenced in different parts of the town, by the reserved parties, as if they had only fired on the fort for a few moments for amusement, and as if those continually fir-

ing at the fort were only regularly relieved. Conduct similar to this kept the garrison constantly alarmed. They did not know what moment they might be stormed or [blown up?] as they could plainly discover that we had flung up some intrenchments across the streets, and appeared to be frequently very busy under the bank of the river, which was within thirty feet of the walls. The situation of the magazine we knew well. Captain Bowman began some works in order to blow it up in case our artillery should arrive; but as we knew that we were daily liable to be overpowered by the numerous bands of Indians on the river, in case they had again joined the enemy (the certainty of which we were unacquainted with), we resolved to lose no time, but to get the fort in our possession as soon as possible. If the vessel did not arrive before the ensuing night we resolved to undermine the fort, and fixed on the spot and plan of executing this work, which we intended to commence the next day.

“The Indians of different tribes that were inimical had left the town and neighborhood. Captain Lamotte continued to hover about it, in order, if possible, to make his way good into the fort. Parties attempted in vain to surprise him. A few of his party were taken, one of which was Maisonville, a famous Indian partisan. Two lads that captured him, tied him to a post in the street and fought from behind him as a breastwork, supposing that the enemy would not fire at them for fear of killing him, as he would alarm them by his voice. The lads were ordered by an officer who discovered them at their amusement, to untie their prisoner and take him off to the guard, which they did, but were so inhuman as to take part of his scalp on the way. There happened to him no other damage.

“As almost the whole of the persons who were most active in the department of Detroit were either in the fort or with Captain Lamotte, I got extremely uneasy for fear that he would not fall into our power, knowing that he would go off if he could not get into the fort in the course of the night. Finding that, without some unforeseen accident, the fort must inevitably be ours, and that a reinforcement of twenty men, although considerable to them, would not be of great moment to us in the present situation of affairs, and knowing that we had weakened them by killing or

wounding many of their gunners, after some deliberation we concluded to risk the reinforcement in preference of his going again among the Indians ; the garrison had at least a month's provisions, and if they could hold out, in the course of that time he might do us much damage. A little before day the troops were withdrawn from their positions about the fort, except a few parties of observation, and the firing totally ceased. Orders were given, in case of Lamotte's approach, not to alarm or fire on him without a certainty of killing or taking the whole. In less than a quarter of an hour he passed within ten feet of an officer and a party that lay concealed. Ladders were flung over to them, and as they mounted them our party shouted. Many of them fell from the top of the walls, some within and others back ; but as they were not fired on, they all got over, much to the joy of their friends. But, on considering the matter, they must have been convinced that it was a scheme of ours to let them in, and that we were so strong as to care but little about them or the manner of their getting into the garrison. * * * The firing immediately commenced on both sides with double vigor, and I believe that more noise could not have been made by the same number of men. Their shouts could not be heard for the firearms, but a continual blaze was kept around the garrison, without much being done, until about day-break, when our troops were drawn off to posts prepared for them, about sixty or seventy yards from the fort. A loop-hole then could scarcely be darkened but a rifle-ball would pass through it. To have stood to their cannon would have destroyed their men, without a probability of doing much service. Our situation was nearly similar. It would have been imprudent in either party to have wasted their men without some decisive stroke required it.

"Thus the attack continued until about nine o'clock on the morning of the 24th. Learning that the two prisoners they had brought in the day before had a considerable number of letters with them, I supposed it an express that we expected about this time, which I knew to be of the greatest moment to us, as we had not received one since our arrival in the country ; and not being fully acquainted with the character of our enemy, we were doubt-

ful that those papers might be destroyed, to prevent which I sent a flag [with a letter] demanding the garrison."

The following is a copy of the letter (extracted from Major Bowman's manuscript journal) which was addressed by Colonel Clark to Lieutenant-Governor Hamilton on this occasion :

"SIR: In order to save yourself from the impending storm that now threatens you, I order you immediately to surrender yourself, with all your garrison, stores, etc.; for if I am obliged to storm, you may depend on such treatment as is justly due to a murderer. Beware of destroying stores of any kind, or any papers or letters that are in your possession, or hurting one house in town—for, by heavens! if you do, there shall be no mercy shown you.

"[Signed]

G. R. CLARK."

The British commandant immediately returned the following answer :

"Lieutenant-Governor Hamilton begs leave to acquaint Colonel Clark that he and his garrison are not disposed to be awed into any action unworthy British subjects."

"The firing then," says Clark, "commenced warmly for a considerable time, and we were obliged to be careful in preventing our men from exposing themselves too much, as they were now much animated, having been refreshed during the flag. They frequently mentioned their wishes to storm the place and put an end to the business at once. * * * The firing was heavy through every crack that could be discovered in any part of the fort. Several of the garrison got wounded, and no possibility of standing near the embrasures. Toward the evening a flag appeared with the following proposals :

"Lieutenant-Governor Hamilton proposes to Colonel Clark a truce for three days, during which time he promises there shall be no defensive works carried on in the garrison, on condition that Colonel Clark shall observe, on his part, a like cessation of any defensive work ; that is, he wishes to confer with Colonel Clark as soon as can be, and promises that whatever may pass between them two, and another person mutually agreed upon to be present, shall remain secret till matters be finished, as he wishes that, whatever

the result of the conference may be, it may tend to the honor and credit of each party. If Colonel Clark makes a difficulty of coming into the fort, Lieutenant-Governor Hamilton will speak to him by the gate. [Signed] HENRY HAMILTON.

“‘24th February, 1779.’

“I was at a great loss to conceive what reason Lieutenant-Governor Hamilton could have for wishing a truce of three days, on such terms as he proposed. Numbers said it was a scheme to get me into their possession. I had a different opinion, and no idea of his possessing such sentiments, as an act of that kind would infallibly ruin him. Although we had the greatest reason to expect a reinforcement in less than three days that would at once put an end to the siege, I yet did not think it prudent to agree to the proposals, and sent the following answer:

“‘Colonel Clark’s compliments to Lieutenant-Governor Hamilton, and begs leave to inform him that he will not agree to any terms other than Mr. Hamilton’s surrendering himself and garrison prisoners at discretion. If Mr. Hamilton is desirous of a conference with Colonel Clark, he will meet him at the church with Captain Helm. [Signed] G. R. C.

“‘February 24th, 1779.’

“We met at the church,* about eighty yards from the fort—Lieutenant-Governor Hamilton, Major Hay, superintendent of Indian affairs, Captain Helm, their prisoner, Major Bowman and myself. The conference began. Hamilton produced terms of capitulation, signed, that contained various articles, one of which was that the garrison should be surrendered, on their being permitted to go to Pensacola on parole. After deliberating on

*During the conference at the church some Indian warriors, who had been sent to the falls of the Ohio for scalps and prisoners, were discovered on their return, as they entered the plains near Post Vincennes. A party of the American troops, commanded by Captain Williams, went out to meet them. The Indians, who mistook this detachment for a party of their friends, continued to advance “with all the parade of successful warriors.” “Our men,” says Major Bowman, “killed two on the spot; wounded three; took six prisoners, and brought them into town. Two of them proving to be whites, we released them, and brought the Indians to the main street, before the fort gate, there tomahawked them and threw them into the river.” [Major Bowman’s MS. Journal.]

every article, I rejected the whole. He then wished that I would make some proposition. I told him that I had no other to make than what I had already made—that of his surrendering as prisoners at discretion. I said that his troops had behaved with spirit; that they could not suppose that they would be worse treated in consequence of it; that if he chose to comply with the demand, though hard, perhaps the sooner the better; that it was in vain to make any proposition to me; that he, by this time, must be sensible that the garrison would fall; that both of us must [view?] all blood spilt for the future, by the garrison, as murder; that my troops were already impatient, and called aloud for permission to tear down and storm the fort. If such a step was taken, many, of course, would be cut down; and the result of an enraged body of woodsmen breaking in must be obvious to him. It would be out of the power of an American officer to save a single man. Various altercations took place for a considerable time. Captain Helm attempted to moderate our fixed determination. I told him he was a British prisoner, and it was doubtful whether or not he could, with propriety, speak on the subject. Hamilton then said that Captain Helm was from that moment liberated, and might use his pleasure. I informed the captain that I would not receive him on such terms; that he must return to the garrison and await his fate.

“I then told Lieutenant-Governor Hamilton that hostilities should not commence until five minutes after the drums gave the alarm. We took our leave, and parted but a few steps when Hamilton stopped and politely asked me if I would be so kind as to give him my reasons for refusing the garrison on any other terms than those I had offered. I told him I had no objections in giving him my real reasons, which were simply these: That I knew the greater part of the principal Indian partisans of Detroit were with him; that I wanted an excuse to put them to death, or otherwise treat them, as I thought proper; that the cries of the widows and fatherless, on the frontiers, which they had occasioned, now required their blood from my hands, and that I did not choose to be so timorous as to disobey the absolute commands of their authority, which I looked upon to be next to divine; that I would rather lose fifty men than not to empower myself to execute this piece of business with propriety; that if he chose to risk the mas-

sacre of his garrison for their sakes, it was his own pleasure ; and that I might, perhaps, take it into my head to send for some of those widows to see it executed. Major Hay, paying great attention, I had observed a kind of distrust in his countenance, which in a great measure influenced my conversation during this time. On my concluding, 'Pray, sir,' said he, 'who is it that you call Indian partisans?' 'Sir,' I replied, 'I take Major Hay to be one of the principal.' I never saw a man in the moment of execution so struck as he appeared to be ; pale and trembling, scarcely able to stand. Hamilton blushed, and, I observed, was much affected at his behavior. Major Bowman's countenance sufficiently explained his disdain for the one and sorrow for the other. * * * Some moments elapsed without a word passing on either side. From that moment my resolutions changed respecting Hamilton's situation. I told him that we would return to our respective posts ; that I would reconsider the matter, and let him know the result ; no offensive measures should be taken in the meantime. Agreed to ; and we parted. What had passed being made known to our officers, it was agreed that we should moderate our resolutions."

In the course of the afternoon of the 24th, the following articles* were signed, and the garrison capitulated :

"I. Lieutenant-Governor Hamilton engages to deliver up to Colonel Clark Fort Sackville, as it is at present, with all the stores, etc.

"II. The garrison are to deliver themselves as prisoners of war, and march out with their arms and accouterments, etc.

"III. The garrison to be delivered up at ten o'clock to-morrow.

"IV. Three days' time to be allowed the garrison to settle their accounts with the inhabitants and traders of this place.

"V. The officers of the garrison to be allowed their necessary baggage, etc.

"Signed at Post St. Vincent [Vincennes], 24th Feb'y, 1779.

"Agreed for the following reasons : The remoteness from succor ; the state and quantity of provisions, etc. ; unanimity of officers

* Major Bowman's MS. Journal.

and men in its expediency; the honorable terms allowed; and lastly, the confidence in a generous enemy.

“[Signed]

HENRY HAMILTON,

“Lieut.-Gov. and Superintendent.”

“The business being now nearly at an end, troops were posted in several strong houses around the garrison, and patrolled during the night to prevent any deception that might be attempted. The remainder on duty lay on their arms, and, for the first time for many days past, got some rest. * * * During the siege I got only one man wounded; not being able to lose many, I made them secure themselves well. Seven were badly wounded in the fort, through ports. * * * Almost every man had conceived a favorable opinion of Lieutenant-Governor Hamilton — I believe what affected myself made some impression on the whole — and I was happy to find that he never deviated, while he stayed with us, from that dignity of conduct that became an officer in his situation. The morning of the 25th approaching, arrangements were made for receiving the garrison [which consisted of seventy-nine men], and about ten o'clock it was delivered in form, and everything was immediately arranged to the best advantage. * * * On the 27th our galley arrived all safe, the crew much mortified, although they deserved great credit for their diligence. They had, on their passage, taken up William Myres, express from government. The dispatches gave much encouragement. Our own battalion was to be completed, and an additional one to be expected in the course of the spring.”

On the day after the surrender of the British garrison at Post Vincennes, Colonel Clark sent a detachment of sixty men up the river Wabash to intercept some boats which were laden with provisions and goods from Detroit. The detachment, under the command of Captain Helm, Major Bosseron and Major Legras, proceeded up the river, in three armed boats, about one hundred and twenty miles, when the British boats, seven in number, were surprised and captured without firing a gun. These boats, which had on board about ten thousand pounds worth of goods and provisions, were manned by about forty men, among whom was Philip Dejean, a magistrate of Detroit.

“The provisions,” says Clark, “were taken for the public, and

the goods divided among the whole, except about eight hundred pounds worth to clothe the troops we expected to receive in a short time. This was very agreeable to the soldiers, as I told them that the State should pay them, in money, their proportions, and that they had great plenty of goods. * * * We yet found ourselves uneasy. The number of prisoners we had taken, added to those of the garrison, was so considerable when compared to our own numbers that we were at a loss how to dispose of them so as not to interfere with our future operations. Detroit opened full in our view. In the fort at that place there were not more than eighty men, a great part of them invalids, and we were informed that many of the principal inhabitants were dissaffected to the British cause. The Indians on our route we knew would now more than ever be cool toward the English. * * * We could now augment our forces in this quarter to about four hundred men, as near half the inhabitants of Post Vincennes would join us. Kentucky, we supposed, could immediately furnish two hundred men, as there was a certainty of receiving a great addition of settlers in the spring. With our own stores, which we had learned were safe on their passage, added to those of the British, there would not be a single article wanting for an expedition against Detroit. We privately resolved to embrace the object that seemed to court our acceptance, without delay, giving the enemy no time to recover from the blows they had received, but we wished it to become the object of the soldiery and the inhabitants before we should say anything about it. It immediately became the common topic among them, and in a few days they had arranged things so that they were, in their imaginations, almost ready to march. They were discountenanced in such conversation, and such measures were taken as tended to show that our ideas were foreign from such an attempt, but at the same time we were taking every step to pave our way.

“The quantity of public goods brought from Detroit, added to the whole of those belonging to the traders of Post Vincennes that had been taken, was very considerable. The whole was divided among the soldiery, except some Indian medals that were kept in order to be altered for public use. The officers received nothing except a few articles of clothing that they stood in need of. The soldiers got almost rich. Others envied their good for-

tune and wished that some enterprise might be undertaken to enable them to perform some exploit. Detroit was their object. The clamor had now got to a great height; to silence it, and to answer other purposes, they were told that an army was to march the ensuing summer from Pittsburg to take possession of Detroit. * * *

“On the 7th of March, Captains Williams and Rogers set out by water, with a party of twenty-five men, to conduct the British officers to Kentucky, and farther to weaken the prisoners eighteen privates were also sent. After their arrival at the falls of the Ohio, Captain Rogers had instructions to superintend their route to Williamsburg, to furnish them with all necessary supplies on their way, and to await the orders of the governor.*

“Poor Myres, the express, who set out on the 15th, got killed on his passage and his packet fell into the hands of the enemy; but I had been so much on my guard that there was not a sentence in it that could be of any disadvantage to us for the enemy to know; and there were private letters from soldiers to their friends, designedly wrote to deceive in case of such accidents. This was customary with us, as our expresses were frequently surprised. I sent a second dispatch to the governor, giving him a short but full account of what had passed and our views. I sent letters to the commandant of Kentucky, directing him to give me a certain but private account of the number of men he could furnish in June.”

Early in the month of March, “I laid before the officers my plans for the reduction of Detroit, and explained the almost certainty of success and the probability of keeping possession of it until we could receive succor from the states. If we awaited the arrival of the troops mentioned in the dispatches from the governor of Virginia, the enemy in the meantime might get strengthened, and probably we might not be so capable of carrying the [post] with the expected reinforcement as we should be with our present

* On the advice of his council, the governor of Virginia, on the 18th of June, 1779, ordered Hamilton, Lamotte and Dejean to be “put into irons, confined in the dungeon of the public jail, debarred the use of pen, ink and paper, and excluded all converse except with their keeper.” On the 29th of September, 1779, an order was issued by the governor to send the said prisoners to Hanover Court House, there to remain on their parole, within certain reasonable limits. Orders were also issued to send Major John Hay, under parole, to the same place. [Jefferson's Correspondence, i. 455.]

force in case we were to make the attempt at this time; and in case we should be disappointed in the promised reinforcement, we might not be able to effect it at all. There were various arguments made use of on this delicate point. Every person seemed anxious to improve the present opportunity; but prudence appeared to forbid the execution, and induced us to wait for the reinforcement.

“The arguments that appeared to have the greatest weight were, that with such a force we might march boldly through the Indian nations; that it would make a great [impression] on them, as well as the inhabitants of Detroit, and have a better effect than if we were now to slip off and take the place with so small a force; that the British would not wish to weaken Niagara by sending any considerable reinforcements to Detroit; that it was more difficult for that post to get succor from Canada than it was for us to receive it from the states; that the garrison at Detroit would not be able to get a reinforcement in time to prevent our executing our designs, as we might with propriety expect ours in a few weeks. In short, the enterprise was deferred until the — of June, when our troops were to rendezvous at Post Vincennes. In the meantime every preparation was to be made, procuring provisions, etc.; and to blind our designs, the whole, except a small garrison, should march immediately to the Illinois; and orders were sent to Kentucky to prepare themselves to meet at the appointed time. This was now our proposed plan, and directed our operations during the spring.

“A company of volunteers from Detroit, mostly composed of young men, was drawn up, and when expecting to be sent off into a strange country, they were told that we were happy to learn that many of them were torn from their fathers and mothers and forced on this expedition; others, ignorant of the true cause in contest, had engaged from a principle that actuates a great number of men, that of being fond of enterprise; but that they now had a good opportunity to make themselves fully acquainted with the nature of the war, which they might explain to their friends; and that as we knew that sending them to the states, where they would be confined in a jail probably for the course of the war, would make a great number of our friends at Detroit unhappy, we had thought

proper, for their sakes, to suffer them to return home, etc. A great deal more was said to them on this subject. On the whole, they were discharged on taking an oath not to bear arms against America until exchanged. They received an order for their arms, boats and provisions to return with; the boats were to be sold and divided among them when they got home.

"In a few days they set out, and as we had spies who went among them as traders, we learned that they made great havoc to the British interest on their return to Detroit, publicly saying that they had taken an oath not to fight against Americans, but they had not sworn not to fight for them, etc.; and matters were carried to such a height that the commanding officer thought it prudent not to take notice of anything that was said or done. Mrs. McComb, who kept a noted boarding house, I understand, had the assurance to show him the stores she had provided for the Americans. This was the completion of our design in suffering the company to return. Many others that we could trust we suffered to enlist in the cause, so that our charge of prisoners was much reduced.

"I had yet sent no message to the Indian tribes, wishing to wait to see what effect all this would have on them. The Piankeshaws, being of the tribe of Tobacco's Son, were also familiar with us. Part of the behavior of this grandee, as he viewed himself, was diverting enough. He had conceived such an inviolable attachment for Captain Helm that on finding that the captain was a prisoner, and not being as yet able to release him, he declared himself a prisoner also. He joined his brother, as he called Captain Helm, and continually kept with him, condoling their condition as prisoners in great distress, at the same time wanting nothing that was in the power of the garrison to furnish. Lieutenant-Governor Hamilton, knowing the influence of Tobacco's Son, was extremely jealous of his behavior, and took every pains to gain him by presents, etc. When anything was presented to him, his reply would be that it would serve him and his brother to live on. He would not enter into council, saying that he was a prisoner and had nothing to say; but was in hopes that when the grass grew his brother, the Big Knife, would release him, and when he was free he could talk, etc. In short, they could do nothing with him; and the

moment he heard of our arrival he paraded all the warriors he had in his village (joining Post Vincennes), and was ready to fall in and attack the fort, but for reasons formerly mentioned, he was desired to desist.

“On the 15th of March, 1779, a party of upper Piankeshaws and some Pottawattamie and Miami chiefs made their appearance, making great protestations of their attachment to the Americans; begged that they might be taken under the cover of our wings, and that the roads through the lands might be made straight, and all the stumbling-blocks removed, and that our friends, the neighboring nations, might also be considered in the same point of view. I well knew from what principle all this sprung; and, as I had Detroit now in my eye, it was my business to make a straight and clear road for myself to walk, without thinking much of their interest or anything else but that of opening the road in earnest, by flattery, deception or any other means that occurred. I told them that I was glad to see them, and was happy to learn that most of the nations on the Wabash and Omi [Maumee] rivers had proved themselves to be men by adhering to the treaties they had made with the Big Knife last fall, except a few weak minds that had been deluded by the English to come to war; that I did not know exactly who they were, nor much cared, but understood they were a band chiefly composed of almost all the tribes (such people were to be found among all nations); but as these kind of people, who had the meanness to sell their country for a shirt, were not worthy of the attention of warriors, we would say no more about them, and think on subjects more becoming us. I told them that I should let the great council of Americans know of their good behavior, and knew that they would be counted as friends of the Big Knife, and would be always under their protection and their country secured to them, as the Big Knife had land enough and did not want any more. * * *

“Things being now pretty well arranged, Lieutenant Richard Brashear was appointed to the command of the garrison, which consisted of Lieutenants Bayley and Chapline, with forty picked men; Captain Leonard Helm, commandant of the town, superintendent of Indian affairs, etc.; Moses Henry, Indian agent, and Patrick Kennedy, quartermaster. Giving necessary instruction to

all persons that I left in office, on the 20th of March I set sail on board of our galley, which was now made perfectly complete, attended by five armed boats and seventy men. The waters being very high, we soon reached the Mississippi; and, the winds favoring us, in a few days we arrived safely at Kaskaskia, to the great joy of our new friends, Captain George and company waiting to receive us.

“On our passage up the Mississippi we had observed several Indian camps which appeared to us fresh, but had been left in great confusion. This we could not account for, but were now informed that a few days past a party of Delaware warriors came to town, and appeared to be very impudent; that in the evening, having been drinking, they said they had come there for scalps and would have them, and flashed a gun at the breast of an American woman present. A sergeant and party that moment passing by the house, saw the confusion and rushed in. The Indians immediately fled. The sergeant pursued and killed [] of them. A party was instantly sent to rout their camps on the river. This was executed the day before we came up, which was the sign we had seen.

“Part of the Delaware nation had settled a town at the forks of the White river, and hunted in the countries on the Ohio and Mississippi. They had, on our first arrival, hatched up a kind of peace with us; but I always knew they were for open war, but never before could get a proper excuse for exterminating them from the country, which I knew they would be loth to leave, and that the other Indians wished them away, as they were great hunters and killed up all their game. A few days after this Captain Helm informed me, by express, that a party of traders who were going by land to the falls, were killed and plundered by the Delawares of White river; and that it appeared that their designs were altogether hostile, as they had received a belt from the great council of their nation. I was sorry for the loss of our men, otherwise pleased at what had happened, as it would give me an opportunity of showing the other Indians the horrid fate of those who would dare to make war on the Big Knife; and to excel them in barbarity I knew was, and is, the only way to make war and gain a name among the Indians. I immediately sent orders to Post Vincennes to make war on the Delawares; to use every means in their power

to destroy them; to show no kind of mercy to the men, but to spare the women and children. This order was executed without delay; their camps were attacked in every quarter where they could be found; many fell, and others were brought to Post Vincennes and put to death, the women and children secured, etc. They immediately applied for reconciliation, but were informed that I had ordered the war * * * and that they dare not lay down the tomahawk without permission from me; but that if the Indians were agreed, no more blood should be spilled until an express should go to Kaskaskia, which was immediately sent. I refused to make peace with the Delawares, and let them know that we never trusted those who had once violated their faith, but if they had a mind to be quiet they might; and if they could get any of the neighboring Indians to be security for their good behavior, I would let them alone; but that I cared very little about it, etc.; privately directing Captain Helm how to manage.

"A council was called of all the Indians in the neighborhood. My answer was made public. The Piankeshaws took on themselves to answer for the future good conduct of the Delawares, and the Tobacco's Son, in a long speech, informed them of the baseness of their conduct, and how richly they had deserved the severe blow they had met with; that he had given them permission to settle that country, but not to kill his friends; that they now saw the Big Knife had refused to make peace with them, but that he had become surety for their good conduct, and that they might go and mind their hunting, and that if they ever did any more mischief—pointing to the sacred bow that he held in his hand—which was as much as to say that he himself would for the future chastise them. Thus ended the war between us and the Delawares in this quarter, much to our advantage, as the nations about said that we were as brave as the Indians, and not afraid to put an enemy to death.

"June being the time for the rendezvous at Post Vincennes, every exertion was made in procuring provisions of every species, and making other preparations. I received an express from Kentucky, wherein Colonel [John] Bowman informed me that he could furnish three hundred good men. We were now going on in high spirits, and daily expecting troops down the Tennessee, when, on

the —, we were surprised at the arrival of Colonel Montgomery with one hundred and fifty men only—which was all we had a right to expect from that quarter in a short time, as the recruiting business went on but slowly—and, for the first time, we learned the fall of our paper money.

“Things immediately put on a different appearance. We now lamented that we did not march from Post Vincennes to Detroit, but as we had a prospect of a considerable reinforcement from Kentucky, we yet flattered ourselves that something might be done, at least we might manœuver in such a manner as to keep the enemy in hot water and in suspense, and prevent their doing our frontiers much damage. We went on with procuring supplies,* and did not yet lose sight of our object, and, in order to feel the pulse of the enemy, I detached Major —, who had lately joined us, and a company of volunteers, up the Illinois river under the pretense of visiting our friends. He was instructed to cross the country and call at the Wea towns, and then proceed to Post Vincennes, making his observations on the route. This, we expected, would perfectly cover our designs, and, if we saw it prudent, we might, on his return, proceed. Early in June, Colonel Montgomery was dispatched, by water, with the whole of our stores. Major [Joseph] Bowman marched the remainder of our troops by land. Myself, with a party of horse, reached Post Vincennes in four days, where the whole safely arrived in a short time after.

“Instead of three hundred men from Kentucky, there appeared about thirty volunteers, commanded by Captain McGary. The loss of the expedition was too obvious to hesitate about it. Colonel

* “There is one circumstance very distressing, that of our money’s being discredited, to all intents and purposes, by the great number of traders who come here in my absence, each outbidding the other, giving prices unknown in this country by five hundred per cent., by which the people conceived it to be of no value, and both French and Spaniards refused to take a farthing of it. Provision is three times the price it was two months past, and to be got by no other means than my own bonds, goods or force. Several merchants are now advancing considerable sums of their own property, rather than the service should suffer, by which I am sensible they must lose greatly, unless some method is taken to raise the credit of our coin, or a fund to be sent to Orleans for the payment of the expenses of this place.” [Letter dated “Kaskaskia, April 29, 1779,” from Colonel G. R. Clark to the governor of Virginia. Jefferson’s Correspondence, i. 454.]

[John] Bowman had turned his attention against the Shawanee towns and got repulsed and his men discouraged.

"The business, from the first, had been so conducted as to make no disadvantageous impression on the enemy in case of a disappointment, as they could never know whether we really had a design on Detroit, or only a finesse to amuse them, which latter would appear probable. Arranging things to the best advantage was now my principal study. The troops were divided between Post Vincennes, Kaskaskia, Cahokia and the falls of Ohio. Colonel Montgomery was appointed to the command of the Illinois; Major Bowman to superintend the recruiting business; a number of officers were appointed to that service; and myself to take up my quarters at the falls, as the most convenient spot to have an eye over the whole."

In the spring of the year 1779, Colonel John Todd, who bore the commission of county lieutenant for the county of Illinois, visited the old settlements at Vincennes and Kaskaskia for the purpose of organizing among the inhabitants of those places forms of temporary government, according to the provisions of the act of the General Assembly of Virginia, of October, 1778. On the 15th of June, 1779, the following proclamation, concerning the settlement and titles of lands on the borders of the rivers Mississippi, Ohio, Illinois and Wabash, was published by Colonel Todd:

"ILLINOIS [COUNTY] TO-WIT:

"Whereas, From the fertility and beautiful situation of the lands bordering upon the Mississippi, Ohio, Illinois and Wabash rivers, the taking up of the usual quantity of land heretofore allowed for a settlement by the government of Virginia would injure both the strength and commerce of this country, I do therefore, issue this proclamation, strictly enjoining all persons whatsoever from making any new settlements upon the flat lands of the said rivers, or within one league of said lands, unless in manner and form of settlements as heretofore made by the French inhabitants, until further orders herein given. And, in order that all the claims to lands in said county may be fully known, and some method provided for perpetuating, by record, the just claims, every inhabitant is required, as soon as conveniently may be, to lay before the

person, in each district, appointed for that purpose, a memorandum of his or her land, with copies of all their vouchers; and where vouchers have never been given, or are lost, such depositions or certificates as will tend to support their claims; the memorandum to mention the quantity of land, to whom originally granted, and when, deducing the title through the various occupants to the present possessor. The number of adventurers who will shortly overrun this country renders the above method necessary, as well to ascertain the vacant lands, as to guard against trespasses which will probably be committed on lands not on record. Given under my hand and seal, at Kaskaskia, the 15th of June, in the third year of the commonwealth, 1779. JOHN TODD, JR."

1779. Settlement of boundary question between Pennsylvania and Virginia.

1779. Fort Laurens, on the Tuscarawas river, besieged by Indians in January. The fort was abandoned in August.

1779. Colonel Archibald Lochry, "county lieutenant of Westmoreland county, Pennsylvania," lived at his house on "Twelve Mile Run."

1779. Settlement founded at Bryant's Station, in Kentucky, at a place about five miles northeast of the present site of Lexington, where a block-house was finished early in April. (?)

1779. In June a court of civil and criminal jurisdiction was established at Vincennes, by John Todd, who acted under the authority of Virginia.

1779. Settlement commenced at the site of Louisville, in Kentucky.

1779. A letter written at Pittsburg, by Colonel Daniel Brodhead, on the 24th of June, 1779, says: "Lieutenant-colonel Bayard, with one hundred and twenty rank and file, is now employed in erecting a stockade fort at Kittanning, which will effectually secure the frontiers of Westmoreland and Bedford counties, provided scouts are employed according to my directions." The fort, when erected, was called Fort Armstrong.

1779. The boatmen and soldiers in charge of two keel boats,

laden with military stores, bound from New Orleans to Pittsburg, and commanded by Major Rogers, were attacked by about six hundred Indians near the mouth of Licking river, in Kentucky. Major Rogers and about forty-five of the men under his command were slain. The escape of Captain Robert Benham and his companion was a remarkable event.

1779. Colonel Brodhead orders the destruction of the cabins of trespassers on Indian lands, and the arrest of such trespassers.

1779. In June, 1779, Col. John Bowman, of Kentucky, led an expedition, consisting of about three hundred men, against the Indian villages on the borders of the Little Miami river. The expedition lost eight or nine men killed in making an unsuccessful attack on an Indian village.

1779. A letter from Col. Archibald Lochry to President Reed, of Pennsylvania, dated "Hannastown, May 1, 1779," says: "You desire, sir, in your letter [to know] if the inhabitants on the frontiers would desire a reward on Indian scalps. I have consulted with a number on this head, who all seem of opinion that a reward for scalps would be of excellent use at this time, and would give spirit and alacrity to our young men, and make it to their interest to be constantly on the scout." [Pennsylvania Archives (1779), p. 362.]

1779. A letter from President Reed to Col. Brodhead, says: "We have sounded Congress and the General [Washington] about giving a reward for scalps, but there is so evident a reluctance on the subject, and an apprehension that it may be improved by our enemies to a national reproach, that at present we can not venture to make any authoritative offers; but as we have great confidence in your judgment and discretion, must leave it to you to act therein as they shall direct." [Pennsylvania Archives (1779), 569.]

1779. A sword was voted to Col. George Rogers Clark by the General Assembly of Virginia.

1779. A large number of families removed from the interior of Virginia to Kentucky in the course of the autumn of 1779.

1779. The first English settlement at the site of Nashville, Tennessee, was made by James Robertson and others, in the winter of 1779-'80.

1780. In the spring of 1780 three hundred large "family boats" arrived at the falls of the Ohio river, bearing emigrants from Virginia, Pennsylvania, etc.

1780. Extract from an act of the General Assembly of Virginia, of 1780:

"And whereas, a good printing press, well provided with proper materials, is indispensably necessary for the right information of the people, be it enacted, that the governor, with the advice of council, be authorized, and he is hereby authorized and empowered to engage with and employ at the public expense and for the public service a good and able printer of firm and known attachment to the independence of the United States, who may be willing to bring a good and well provided press into this commonwealth." [Hening's Statutes, vol. x. p. 313.]

1780. In the spring of 1780 a strong force, composed principally of Indians, and commanded by Captain Byrd, set out from Detroit and destroyed Martin's and Ruddell's stations, near Licking river, in Kentucky. The Indians killed a few prisoners and carried a small number into captivity.

1780. In July, General George Rogers Clark, at the head of about one thousand men, marched from the place of rendezvous at the mouth of the Licking river, and destroyed several Indian villages which were found on the borders of the Little Miami river. The Piqua town, on the Great Miami, was also destroyed. The loss of the whites killed was about nineteen.

1780. Fort Jefferson established on the left bank of the Mississippi river, about five miles below the mouth of the Ohio.

1780. On the 18th of April, 1780, it was resolved by Congress "that six blank commissions be sent to Colonel Brodhead, commanding officer at Fort Pitt, to be filled up with the names of such faithful Indians of the Delaware tribe as he shall judge to be deserving of that honor; but no rank to be given to any of them higher than that of captain." [Journals of Congress, iii. p. 449.]

1780. The town of Louisville, Kentucky, was established by an act of the General Assembly of Virginia.

1780. Large grants of land made, without authority, by the court at Vincennes.

1780. In the fall of 1780 an officer named La Balme made an attempt to lead an expedition from Kaskaskia against Detroit. He was joined by a few men at Vincennes. From this point he moved up the Wabash river and arrived at a trading post which stood at the head of the Maumee river. After plundering the British traders and some of the half-breed Indians, he retired from the post, and encamped on the banks of the small river Aboite. The encampment was attacked in the night by a party of Miami Indians. La Balme and about thirty of his followers were killed; others fled in confusion, and the expedition was broken up.

1780. The Illinois Land Company and the Wabash Land Company were united.

1780. A letter dated "Washington county, Pennsylvania, July 27, 1781," says: "The Indians through the course [of the summer of 1780] were exceedingly troublesome, and butchered up many of the defenseless frontiers."

1780. Extract from "Records of Land Entries in Kentucky, 1780:" "George Smith enters five hundred acres of land on a treasury warrant, lying on the north side of Kentucky, a mile below a creek, beginning about twenty poles below a lick running down the river westerly and northwestwardly for quantity." [Marshall's History of Kentucky, i. p. 150.]

1781. April 17, in a letter addressed to President Reed, Col. Lochry, of Westmoreland county, Pennsylvania, said: "The savages have begun their hostilities. Since I came from Philadelphia they have struck us in four different places; have taken and killed thirteen persons, with a number of horses and other effects of the inhabitants. Two of the unhappy people were killed one mile from Hannastown. Our country is worse depopulated than ever it has been. * * * Our situation at present is very deplorable, and if the savages were acquainted with our weakness they may

easily drive the people over the Youghiogheny." [Pennsylvania Archives.]

1781. Early in April Colonel Brodhead, with about three hundred men, moved from Pittsburg, left the Ohio river at Wheeling and marched to attack certain Indian towns on the borders of the Muskingum river. Two or three towns were destroyed, about fifteen Indian warriors killed, "and upwards of twenty old men, women and children" taken as prisoners. Referring to this expedition, Colonel Brodhead says: "The plunder brought in by the troops sold for about eighty thousand pounds at Fort Henry [Wheeling]." * * * "The troops behaved with great spirit, and although there was considerable firing between them and the Indians, I had not a man killed or wounded and only one horse shot." * * * "The troops experienced great kindness from the Moravian Indians and those at Newcomer's Town, and obtained a sufficient supply of meat and corn to subsist the men to the Ohio river." [Pennsylvania Archives (1781-1783), p. 162.]

1781. The mode of surveying and disposing of public lands by townships and acres was recommended by "a citizen of Philadelphia," in an essay dated February 17, 1781. [London Remembrances (for 1782), p. 276.]

1781. The old post and missionary station on the river St. Joseph, of Lake Michigan, was captured by a detachment of Spaniards who marched from St. Louis under the command of Don Eugenio Pierre.

1781. A party of Chickasaw Indians made an attack on Fort Jefferson, which stood on the left bank of the Mississippi, about five miles below the mouth of the Ohio.

1781. Memorandum of some of the principal inhabitants of Washington county, Pennsylvania, in 1781: James Edgar, Daniel Leet, John Reid, Joseph Parkerson, John Armstrong, Abraham Howell, James Brice, Van Swearingen, John Canon, Richard Yeates, Isaac Israel, James Allison, B. Johnston, John McDowell, George W. Harmick, Thomas Crook, Demas Lindsly, George Myers.

1781. Robert Wooster was a local Methodist preacher in western Pennsylvania as early as 1781. He sometimes preached in the western parts of Virginia. Redstone circuit, in 1784, included a large district of country in which Pittsburg was the principal town. The Reverend Charles Conway was the first preacher appointed to the Redstone circuit. Bishop Asbury preached at Pittsburg in 1789. [Simpson's Cyclopedia of Methodism, 720-937.]

1781. In a letter written on the 17th of March, 1781, by Joseph Reed, president of "the Supreme Executive Council of Pennsylvania," and addressed to Colonel Archibald Lochry, of Westmoreland county, the following passage appears:

"It is with much concern we observe, as we have formerly done, that when troops are raised for your protection they are permitted to loiter away their time at the taverns or straggling about the country; and in some instances, we fear, there has been great negligence in the officers to whose command they were entrusted. The interior counties have so long borne this expense that they are becoming impatient under it; and you can not serve your country more essentially or do yourself more credit than by carefully attending to the expenditures of public money and causing those who are in public service to perform it with industry and fidelity." [Pennsylvania Archives, 1781-1783, p. 18.]

1781. On the 23d of March, 1781, General George Rogers Clark addressed the following letter to the governor of Pennsylvania:

"Dear Sir: Though unacquainted, I take the liberty of writing to your excellency on a subject I hope will concern you so much as to honor my proposition. I make no doubt that you are fully acquainted with the design of the enterprise. I am ordered to command of the greatest consequence to the frontiers of Pennsylvania and Virginia. If our resources should not be such as to enable us to remain in the Indian country during the fair season, I am in hopes they will be sufficient to visit the Shawanees, Delawares and Sandusky town; defeating the enemy and laying those countries waste would give great ease to the frontiers of both states, whom I think equally interested; but, sir, nothing great can be expected without the assistance of numbers of men from the

country on this side of the Laurel hill. Many living within the boundary of Pennsylvania are willing to go on the expedition. Many more would if it was not for a timid, simple disposition, fearing it would disoblige your excellency and council; at least they make use of such arguments as an excuse. Others, alternately shifting from one state to the other, screen themselves from any military duty that might be required of them; but as I am confident from the nature of the intended expedition, you would wish to give it every aid in your power, I hope, sir, that you will inform the inhabitants on this side of the mountain that such is your sentiment. They are fully able to spare five hundred men, and I don't think they could be better employed to the advantage of themselves or country. I should have solicited the governor of Virginia to have made this request of you, but the want of time for it to go through that channel, and confident of its meeting with your approbation, induced me to do it myself.

"I hope, sir, that you will honor me with an immediate answer per express, as it is of the greatest consequence to us, and that the fate of the Indians at present appears to depend on the resolutions you may take." [Pennsylvania Archives, 1781, p. 23.]

1781. In the summer of 1781, Col. Archibald Lochry, of Westmoreland county, Pennsylvania, raised a corps of about one hundred men, who embarked in boats at Wheeling, in order to join the troops under the command of Gen. George Rogers Clark, at the falls of the Ohio. On the 24th of August, at a point that lies a short distance below the mouth of the Great Miami river, a large party of Indians attacked Lochry's party, killed about forty of the men, tomahawked Colonel Lochry and carried about sixty men into the Indian country as prisoners. Some of these captives were taken to Detroit, and, after the lapse of some time, were exchanged or released from captivity. A letter written by Col. Lochry, at "Miraile's Mill, Westmoreland county," on the 4th of August, 1781, and addressed to President Reed, contains the following statements: "I am now on my march with Captain Stokeley's company of rangers and about fifty volunteers from this county. We shall join General Clark at Fort Henry, on the Ohio river, where his army has lain for some weeks past, as it was most ex-

pedient to have the boats there, the water being deeper from that to where he intends going than from Fort Pitt there. I expected to have had a number more volunteers, but they have, by some insinuations, been hindered from going. Our rangers have been very ill supplied with provisions, as there has been no possibility of procuring meat, particularly as our money has not been in the best credit. We have generally had flour, but as I have kept the men constantly scouting, it is hard for them to be without meat." [Pennsylvania Archives (1781), p. 333.]

1781. A letter written by General William Irvine, at "Fort Pitt," on the 3d of December, 1781, and addressed to President Reed, says: "I am sorry to inform your excellency that this country has got a severe stroke by the loss of Colonel Lochry and about one hundred, it is said, of the best men of Westmoreland county, including Captain Stokeley and his company of rangers. They were going down the Ohio on General Clark's expedition. Many accounts agree that they were all killed or taken at the mouth of the Miami river, I believe chiefly killed. This misfortune, added to the failure of General Clark's expedition, has filled the people with great dismay; many talk of retiring to the east side of the mountain early in the spring. Indeed, there is great reason to apprehend that the savages, and, perhaps, the British from Detroit, will push us hard in the spring, and I believe there never were posts nor a country in a worse state of defense; notwithstanding I am well informed there has been sundry meetings of people at different places, for the purpose of concerting plans to emigrate into the Indian country, there to establish a government for themselves. What the result of their meetings were I can not say; and, as I do not intend to interfere in civil matters, have not taken any notice of the affair. From what observations I have been able to make I am of opinion there is many obvious reasons that no time should be lost in running the line between Virginia and Pennsylvania." [Pennsylvania Archives, p. 458.]

1781. Boundaries of Washington county, Pennsylvania, laid out.

1781. The Indian "Big Foot" was killed by Andrew Poe on

the border of the Ohio river, about two miles below the mouth of Yellow creek.

1781. October 19, surrender of the British forces under Cornwallis, at Yorktown, Virginia. The first article of the terms of capitulation declares that the surrender was made to "the combined forces of America and France."

1782. A letter written by General Irvine at Fort Pitt, on the 30th of March, 1782, and addressed to General Washington, says: "Civil authority is by no means properly established in this country, which, I doubt not, proceeds, in some degree, from inattention in the executives of Virginia and Pennsylvania not running the boundary line; which is, at present, an excuse for neglect of duty of all kinds, for at least twenty miles on each side of the line." [Old Redstone Presbytery, p. 34.]

1782. The town of Washington, in Washington county, Pennsylvania, was laid out by John Hoge and William Hoge, at a place which was known as the camp of an Indian named Catfish.

1782. March 8th, the towns of the Moravian Indians on the Muskingum river were destroyed by a party consisting of about eighty-five mounted men, principally volunteers from the western part of Pennsylvania under the command of Col. David Williamson. About ninety-six unresisting Indians were massacred. Among these were twenty women and thirty-four children. Eighteen of Williamson's men wished to spare the lives of these Indians. The villages and the mangled bodies of the slaughtered Indians were burned.

1782. A letter written by Lieutenant-Colonel Edward Cook, of Westmoreland county, Pennsylvania, on the 2d of September, 1782, and addressed to President William Moore, says: "The savages have been tolerable these few weeks past. What they are about we can not determine. I am informed that you have it reported that the massacre of the Moravian Indians obtain the approbation of every man on this side of the mountains, which I assure your excellency is false; that the better part of the community are of opinion the perpetrators of that wicked deed ought to be brought to condign punishment; that without something is done

by government in the matter it will disgrace the annals of the United States, and be an everlasting plea and cover for British cruelty." [Pennsylvania Archives, p. 629.]

1782. March 22d, Captain James Estill, with a party of twenty-five men, was defeated by Indians near the Little Mountain, in Kentucky. Estill and nine of his men were killed.

1782. July —, Hannastown, Pennsylvania, attacked and burned, except two houses, by a party composed of Indians and some white men. "About twenty of the inhabitants killed and taken. About one hundred head of cattle and a number of horses and hogs killed." [Pennsylvania Archives (1781-1783), p. 596.]

1782. In the latter part of the month of May, 1782, about four hundred and eighty mounted volunteers from the western parts of Pennsylvania and Virginia, under the command of Col. William Crawford, crossed the Ohio river about two miles below the place where Steubenville stands, and marched into the Indian country for the purpose of destroying the Moravian and Wyandot villages on the river Sandusky. On reaching the plains near Upper Sandusky the force under Crawford was attacked by the Indians and compelled to retreat in disorder, after suffering a loss of about one hundred men. Colonel Crawford was captured, tortured and burned to death. This officer entered the revolutionary army in 1776, and resigned his command in 1781.

1782. August 15 (?), Bryant's Station, in Kentucky, besieged by a large body of Indians, under command of Simon Girty. This station, which contained about forty cabins and forty or fifty men, was situated on the southern bank of Elkhorn, and on the left of the road that now leads from Lexington to Maysville. The Indians besieged the place from sunrise on the 15th till about ten o'clock the next day, when they marched off with a loss of about thirty warriors killed and wounded. The loss of the whites was four men killed and three wounded. A party of one hundred and eighty-two (?) mounted men was soon collected, and this small number of volunteers, under the command of Colonel John Todd, pursued the Indians and overtook them at the Lower Blue Licks, on Licking river. At this place, on the 19th of August, a battle

was fought in which the Kentuckians were defeated with the loss of sixty men killed and seven taken prisoners. Colonel John Todd, Major Trigg, Major Harland and Captain McBride were among the slain. The loss of the Indians has not been recorded with any degree of certainty.

1782. On the 4th of November, 1782, about one thousand Kentucky militia, under the command of General George Rogers Clark, crossed the Ohio near the mouth of Licking river, and marched into the Indian country, for the purpose of destroying the villages on the borders of the Great Miami and Little Miami rivers. A statement made by General Clark says: "The property destroyed was of great amount, and the quantity of provisions burned surpassed all ideas we had of the Indian stores. The loss of the enemy was ten scalps, seven prisoners, and two whites retaken. Ours was one killed and one wounded." * * * "Finding all attempts to bring the enemy to a general action fruitless, we retired, as the season was far advanced and the weather threatening."

1782. November 30, provisional articles of peace between the United States of America and Great Britain were signed at Paris.

1782. Dillie's blockhouse, a small stockade, stood on the right bank of the Ohio river, opposite the mouth of Big Grave creek.

1782. Fort Nelson was built at Louisville, Kentucky.

1782. A letter written by Colonel Christopher Hays, and dated "Westmoreland county [Pa.], September 20, 1782, says: "Last Thursday week between five and six hundred Indians made their appearance at Wheeling fort, and killed several."

1783. Extract from records of comptroller-general's office of Pennsylvania, March 21, 1783: "There is due to Alexander Wright and William Minor, each, the sum of twelve pounds ten shillings specie, amounting to twenty-five pounds, agreeable to a proclamation of council, for two Indian scalps taken per the within certificates." [Pennsylvania Colonial Records, xii. 538.]

1783. On the "4th of the tenth month, five hundred and thirty-eight members of the Society of Friends or Quakers, at a

yearly meeting in Philadelphia, signed an 'address to the United States in Congress assembled,' asking that body to discourage and prevent the continuance of the slave trade." [Remembrances for the year 1784, p. 94.]

1783. Town of Danville, Kentucky, laid out.

1783. Florida, having been held by Great Britain since the year 1763, was retroceded to Spain by treaty of September 3, 1783.

1783. Francis Clark, a local Methodist preacher in the vicinity of Danville, Kentucky, organized the first Methodist class in the regions west of the Allegheny mountains. [Collins' Kentucky.]

1783. April 11, proclamation of Congress declaring a cessation of hostilities between the United States of America and Great Britain.

1783. An act was passed in October, 1783, by the General Assembly of Virginia, for laying off the town of Clarksville, on the right bank of the river at falls of the Ohio, in the county of Illinois. The act provided that the lots, of half an acre each, should be sold at public auction for the best price that could be had. The purchasers respectively were to hold their lots subject to the condition of building on each, within three years from the day of sale, a dwelling house, "twenty feet by eighteen, at least, with a brick or stone chimney." William Fleming, John Edwards, John Campbell, Walker Daniel, George R. Clark, Abraham Chaplin, John Montgomery, John Bailey, Robert Todd and William Clark, were, by the act of the Assembly, constituted trustees of the town of Clarksville.

1783. The county of Fayette, in Pennsylvania, organized.

1783. Definitive treaty between the United States and Great Britain signed at Paris, September 3.

1783. In 1783 there were one hundred and forty-four "heads of families" at Vincennes.

1783. General George Rogers Clark, on his arrival at Richmond, Virginia, in 1783, addressed the following letter to Governor Harrison:

"RICHMOND, 21st May, 1783.

"Sir: Nothing but necessity could induce me to make the following request to your excellency, which is to grant me a small sum of money on account, as I can assure you, sir, that I am exceedingly distressed for the want of necessary clothing, etc., and don't know of any channel through which I could procure any except that of the executive. The state, I believe, will fall considerable in my debt. Any supplies that your excellency favors me with might be deducted out of my accounts. I have the honor to be your excellency's obedient servant,

G. R. CLARK.

"His Excellency GOVERNOR HARRISON."

1783. July 3d, General George Rogers Clark was discharged from the service of Virginia, on which occasion he received a very complimentary letter from the governor, Benjamin Harrison. The letter contained the following passages: "The conclusion of the war, and the distressed situation of the state with respect to its finances, call on us to adopt the most prudent economy. It is for this reason alone I have come to a determination to give over all thoughts, for the present, of carrying on an offensive war against the Indians, which, you will easily perceive, will render the services of a general officer in that quarter unnecessary, and will, therefore, consider yourself as out of command; but before I take leave of you I feel myself called upon, in the most forcible manner, to return to you my thanks, and those of my council, for the very great and singular services you have rendered your country, in wresting so great and valuable a territory out of the hands of the British enemy, repelling the attacks of their savage allies and carrying on a successful war in the heart of their country. This tribute of praise and thanks, so justly due, I am happy to communicate to you as the united voice of the executive."

1784. March 1, the state of Virginia, by a deed executed in Congress, relinquished all the claims of the state to the territory on the northwestern side of the Ohio river. The following is a copy of the Virginia deed of cession:

"To all who shall see these presents: We, Thomas Jefferson, Samuel Hardy, Arthur Lee and James Monroe, the underwritten

delegates for the commonwealth of Virginia, in the Congress of the United States of America, send greeting :

“Whereas, The General Assembly of the commonwealth of Virginia, at their session begun on the 20th day of October, 1783, passed an act entitled ‘an act to authorize the delegates of this state in Congress to convey to the United States, in Congress assembled, all the right of this commonwealth to the territory north-westward of the river Ohio,’ in these words, to-wit :

“Whereas, The Congress of the United States did, by their act of the 6th day of September, in the year 1780, recommend to the several states in the Union, having claims to waste and unappropriated lands in the western country, a liberal cession to the United States of a portion of their respective claims for the common benefit of the Union ; and whereas, this commonwealth did, on the 2d day of January, in the year 1781, yield to the Congress of the United States, for the benefit of the said states, all right, title and claim which the said commonwealth had to the territory northwest of the river Ohio, subject to the conditions annexed to the said act of cession ; and whereas, the United States, in Congress assembled, have, by their act of the 13th of September last, stipulated the terms on which they agree to accept the cession of this state, should the legislature approve thereof, which terms, although they do not come fully up to the propositions of this commonwealth, are conceived in the whole to approach so nearly to them as to induce this state to accept thereof, in full confidence that Congress will, in justice to this state, for the liberal cession she hath made, earnestly press upon the other states claiming large tracts of waste and uncultivated territory, the propriety of making cessions equally liberal for the common benefit and support of the Union ; be it enacted by the General Assembly, that it shall and may be lawful for the delegates of this state to the Congress of the United States, or such of them as shall be assembled in Congress, and the said delegates, or such of them so assembled, are hereby fully authorized and empowered, for and on behalf of this state, by proper deed or instruments in writing, under their hands and seals, to convey, transfer, assign and make over unto the United States in Congress assembled, for the benefit of the said states, all right, title and claim, as well of soil as jurisdiction, which this common-

wealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying and being to the northwest of the river Ohio, subject to the terms and conditions contained in the before recited act of Congress of the 13th day of September last; that is to say, upon condition that the territory so ceded shall be laid out and formed into states, containing a suitable extent of territory, not less than one hundred nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit; and that the states so formed shall be distinct republican states and admitted members of the Federal Union, having the same rights of sovereignty, freedom and independence as the other states; that the necessary and reasonable expenses incurred by this state in subduing any British posts, or in maintaining forts or garrisons within, and for the defense, or in acquiring any part of the territory so ceded or relinquished, shall be fully reimbursed by the United States; and that one commissioner shall be appointed by Congress, one by this commonwealth, and another by those two commissioners who, or a majority of them, shall be authorized and empowered to adjust and liquidate the account of the necessary and reasonable expenses incurred by this state, which they shall judge to be comprised within the intent and meaning of the act of Congress of the 10th of October, 1780, respecting such expenses; that the French and Canadian inhabitants, and other settlers of the Kaskaskias, St. Vincent's and the neighboring villages, who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them and be protected in the enjoyment of their rights and liberties; that a quantity, not exceeding one hundred and fifty thousand acres of land, promised by this state,* shall be allowed and granted to then Colonel, now General George Rogers Clark, and to the officers and soldiers of his regiment who marched with him when the posts of Kaskaskia and St. Vincent's were reduced, and to the officers and soldiers that have

* By the provisions of the acts of the General Assembly of Virginia, of the 3d of October, 1779, and 5th of October, 1780, the following land bounties were promised to the officers and soldiers of Virginia, who should serve to the end of the revolutionary war, viz: To a major-general, 15,000 acres; to a brigadier-general, 10,000 acres; to a colonel, $6,666\frac{2}{3}$ acres; to a lieutenant-colonel, 6,000 acres; to a major, $5,666\frac{2}{3}$ acres; to a captain, 4,000 acres; to a subaltern, $2,666\frac{2}{3}$ acres; to a non-commissioned officer, 400 acres; to a soldier (private), 200 acres.

been since incorporated into the said regiment, to be laid off in one tract, the length of which not to exceed double the breadth, in such place on the northwest side of the Ohio as a majority of the officers shall choose, and to be afterwards divided among the said officers and soldiers in due proportion, according to the laws of Virginia; that in case the quantity of good lands on the southeast side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law for the Virginia troops upon continental establishment, should, from the North Carolina line bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops in good lands, to be laid off between the rivers Scioto and Little Miami, on the northwest side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia; that all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United States as have become or shall become members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever: Provided that the trust hereby reposed in the delegates of this state shall not be executed, unless three of them at least are present in Congress.

“And, whereas, the said General Assembly, by their resolution of June 6th, 1783, had constituted and appointed us, the said Thomas Jefferson, Samuel Hardy, Arthur Lee and James Monroe, delegates to represent the said commonwealth in Congress for one year from the first Monday in November then next following, which resolution remains in full force:

“Now, therefore, know ye that we, the said Thomas Jefferson, Samuel Hardy, Arthur Lee and James Monroe, by virtue of the power and authority committed to us by the act of the said General Assembly of Virginia, before recited, and in the name, and for and on behalf of the said commonwealth, do, by these presents,

convey, transfer, assign and make over unto the United States, in Congress assembled, for the benefit of the said States, Virginia inclusive, all right, title and claim, as well of soil as of jurisdiction, which the said commonwealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying and being to the northwest of the river Ohio, to and for the uses and purposes, and on the conditions of the said recited act. In testimony whereof we have hereunto subscribed our names and affixed our seals in Congress, the first day of March, in the year of our Lord 1784, and of the independence of the United States the eighth." [Journals of Congress, March 1, 1784.]

The states of New York, Massachusetts and Connecticut respectively claimed, by virtue of ancient royal charters, large territories lying west of the river Ohio, and northwest of the western boundary of Pennsylvania. These claims were transferred to the United States, Connecticut reserving a tract which was called the "Western Reserve." The jurisdictional claim of Connecticut to this tract was surrendered to the United States on the 30th of May, 1800.

In pursuance of the recommendation contained in the resolution of Congress of the 6th of September, 1780, the following states made cessions of territory to the United States at the dates respectively stated:

New York, on March 1, 1781; Virginia, on March 1, 1784; Virginia, on December 30, 1788. By this act Virginia agreed to change the conditions of the act of cession of 1784, only so far as to ratify the 5th article of the compact or ordinance of 1787. Massachusetts, on April 19, 1785; Connecticut, on September 14, 1786—confirmed May 30, 1800; South Carolina, on August 9, 1787; North Carolina, on February 25, 1790; Georgia, on April 24, 1802. [Hickey's Constitution of the United States, p. 422.]

1784. A settlement was founded at Limestone (now Maysville, Kentucky). The site of this town was visited by Simon Kenton in 1775.

1784. General James Wilkinson settled at Lexington, Kentucky, as a merchant.

1784. In 1784 John Filson, a citizen of Kentucky, published

a small volume entitled, "The Discovery, Settlement and Present State of Kentucky." In this work Filson says: "We may conclude that Kentucky contains, at present, thirty thousand souls." * * * "I have heard a hunter assert he saw above one thousand buffaloes at the Blue Licks at once — so numerous were they before the first settlers had wantonly sported away their lives." * * * "Now, we know, by experience, that forty tons of goods can not be taken to the falls of Ohio from Philadelphia under six hundred pounds expense." Filson's History of Kentucky was published at Wilmington, Delaware, in 1784.

1784. Thomas J. Dalton, one of the officers of General Clark, held a council with the Piankeshaw Indians, at Vincennes, on the 15th of April, 1784. At the close of the council the Piankeshaw chief said: "This being the day of joy to the Wabash Indians, we beg a little drop of your milk [that is, rum] to let our warriors see it came from your own breast. We were born and raised in the woods. We could never learn to make rum. God has made the white flesh masters of the world; they make everything, and we all love rum." [Imlay, p. 367.]

1785. January 21, a treaty was concluded, at Fort McIntosh, between the United States and warriors of the Wyandot, Delaware, Chippewa and Ottawa tribes of Indians.

1785. Before the commencement of the year 1785 western pioneers in considerable numbers had made settlements on the north-western side of the river Ohio, and, on the 24th of January, 1785, the commissioners of Indian affairs in the west issued instructions to Lieutenant Colonel Josiah Harmar, from which the following is an extract:

"Surveying or settling the lands not within the limits of any particular state being forbid by the United States in Congress assembled, the commandant will employ such force as he may judge necessary in driving off persons attempting to settle on the lands of the United States.

"Given at Fort McIntosh this 24th day of January, 1785.

"[Signed]

G. R. CLARK.

RICHARD BUTLER.

ARTHUR LEE."

An account of the proceedings of Lieutenant-Colonel Harmar, in discharging the duties which were imposed on him by this order, is given in unpublished letters which are on file among the archives of the national government. Copies of some of these letters are inserted in the following pages:

Letter to Ensign Armstrong.

FORT, MCINTOSH, March 29th, 1785.

Sir: Having received intelligence that several persons, in defiance of the orders of Congress, have presumed to settle on the lands of the United States on the western side of the Ohio, about forty or fifty miles from here, you are hereby ordered to proceed with your party as far down as opposite Wheeling and dispossess the said settlers. At Wheeling you will have copies of the above instructions, which I received from the honorable the commissioners for Indian affairs, and of these your orders, in order that all persons may be made fully acquainted therewith.

I am, sir, your humble servant,

[Signed]

JOS. HARMAR,

Lieutenant-Colonel Commandant.

To ENSIGN ARMSTRONG.

1785.—Letter from Ensign Armstrong to Lieutenant-Colonel Harmar.

FORT MCINTOSH, 12th April, 1785.

Sir: Agreeable to your orders I proceeded with my party early on the 31st of March down the river Ohio. On the 1st inst. we crossed Little Beaver, and dispossessed one family; four miles from thence we found three families living in sheds, but they having no craft to transport their effects, I thought proper to give them till the 12th inst., at which time they promised to demolish their sheds and move to the east side of the river.

At Yellow creek dispossessed two families and destroyed their buildings. The 2d being stormy, no business could be done. The 3d we dispossessed eight families. The 4th, arrived at Mingo Bottom or Old Town.

I read my instructions to the prisoner Ross, who declared they never came from Congress, for he had late accounts from that honorable body, who, he was well convinced, gave no such instructions

to the commissioners. Neither did he care from whom they came, for he was determined to hold his possession, and if I should destroy his house he would build six more in the course of a week. He also cast many reflections on the honorable the Congress, the commissioners and commanding officer. I conceived him to be a dangerous man; sent him under guard to Wheeling. Finding most of the settlers in this place were tenants under the prisoner, I gave them a few days, at which time they promised to move to the eastern side of the Ohio, and that they would demolish their buildings.

On the evening of the 4th, Charles Norris, with a party of armed men, came to my quarters in a hostile manner and demanded my instructions. After conversing with them for some time, and showing them my instructions, the warmth with which they first expressed themselves appeared to abate, and, from some motive, [they] lodged their arms with me till morning.

I learnt from the conversation of the party that at Norris's Town (by them so-called), eleven miles further down the river, a party of seventy or eighty men were assembled with a determination to oppose me.

Finding Norris to be a man of influence in that country, I conceived it my interest to make use of him as an instrument, which I effected by informing him it was my intention to treat any armed party I saw as enemies to my country, and would fire on them if they did not disperse.

On the 5th, when I arrived within two miles of the town or place where I expected to meet with opposition, I ordered my men to load their arms in presence of Norris, and then desired him to go to the party and inform them of my intentions. I then proceeded on with caution, but had not got far before the paper No. 1 was handed me by one of the party, to which I replied I should treat with no party, but intended to execute my orders. When I arrived at the town there were about forty men assembled who had deposited their arms. After I had read to them my instructions they agreed to move off by the 19th inst. This indulgence I thought proper to grant, the weather being too severe to turn them out of doors.

The 6th I proceeded to Haglin's, or Menserstown, where I

was presented with the paper No. 2, and from the humble and peaceable disposition of the people, and the impossibility of their moving off immediately, I gave them till the 19th, and believe they will generally leave the settlement at that time.

At that place I was informed that Charles Norris and John Carpenter had been by the people elected justices of the peace; that they had issued precepts and decided thereon. I then proceeded on until opposite Wheeling, where I dispossessed one family and destroyed their building. I hope, sir, the indulgence granted to some of the inhabitants will meet your approbation.

The paper No. 3 is an advertisement, a copy of which is posted up in almost every settlement on the western side of the Ohio.

Three of my party being lame I left them about forty miles from this place, under the care of a corporal; the remainder I have ordered to join their respective companies, and the prisoner I have delivered to the care of the garrison guard.

I am, sir, with every respect, your obedient servant,

JOHN ARMSTRONG, Ensign.

COLONEL HARMAR.

1785.—Letter from Ensign Armstrong to Lieutenant-Colonel Harmar.

FORT MCINTOSH, 13th April, 1785.

Sir: As the following information through you to the honorable the Congress may be of some service, I trust you will not be displeased therewith.

It is the opinion of many sensible men (with whom I conversed on my return from Wheeling), that if the honorable the Congress don't fall on some speedy method to prevent people from settling on the lands of the United States west of the Ohio, that country will soon be inhabited by a banditti whose actions are a disgrace to human nature. You will, in a few days, receive an address from the magistracy of Ohio country, through which most of those people pass, many of whom are flying from justice.

I have, sir, taken some pains to distribute copies of your instructions, with those from the honorable the commissioners for Indian affairs, into almost every settlement west of the Ohio, and had them posted up at most public places on the east side of the river in the neighborhood through which those people pass.

Notwithstanding they have saw and read those instructions, they are moving to the unsettled country by forties and fifties. From the best information I could receive, there are at the falls of Hockhocking upwards of three hundred families; at Muskingum a number equal; at the Moravian towns there are several families, and more than fifteen hundred on the rivers Miami and Scioto. From Wheeling to that place there is scarcely one bottom on the river but has one or more families living thereon.

In consequence of the advertisement by John Amberson, I am assured meetings will be held at the times therein mentioned.

That at Menser's or Haglinstown, mentioned in my report of yesterday, the inhabitants had come to a resolution to comply with the requisition of the advertisement. The supposed distance from this place to Wheeling, pursuing the river, is seventy miles.

I am, sir, with due respect, your most obedient servant,

JOHN ARMSTRONG, Ensign.

COLONEL HARMAR.

1785.—Petition of Thirty-six Settlers to Lieutenant Colonel Harmar.

April 15th, 1785.

Sir: Agreeable to the order we have received for removing off the lands to the west of the Ohio we are preparing to execute with the utmost diligence, but find it will be impracticable to entirely clear off the place according to our engagements with Ensign Armstrong when we received the orders, which, if you will condescend to take under your consideration, we make no doubt you will readily grant, for we have neither house nor lands to move to; have every necessary to procure by our labor for the support of our families and stocks, for we have no money. Therefore, if you can, consistent with your honor, allow us a few weeks more to move off and prepare dwellings to move to, we shall greatly acknowledge the favor. We have sent a full representation of our distressed circumstances by way of petition to Congress, and whatever orders and regulations they, in their wisdom, may think proper to prescribe we shall, as in duty bound, obey. Therefore, the farthest time we request is till we know the resolutions of Congress in regard to our petition; which, if you grant our request, the favor of you to send us your pleasure and directions by the

bearer, Mr. James Cochran, which will be greatly acknowledged by your humble servants, the subscribers.

JOHN CASS HEMAN.

Thos. Tilton.	Zephania Dunn.	Stanis Riley.
John Nixon.	John McDonald.	Walter Cain.
Henry Cassell.	Henry Forgg.	Jacob Light.
John Nowles.	William Haugland.	Jos. Williams.
James Clark.	Michael Rawlings.	William Wallace.
His	Thomas Dawsson.	Jos. Rebnon.
Adam [A. H.] Houpe.	William Huff.	John Massins.
Mark.	Solomon Deling.	Wm. Mason.
Thomas Johnson.	Charles Nured.	Wm. Kerr.
Hananiah Davis.	Fred'k Lamb.	David Duff.
John Tilton.	John Rigdon.	Joseph Ross.
Jno. Fitzpatrick.	George Atchison.	James Watson.
Daniel Menser.		

1785.—Lieutenant-Colonel Harmar's Notice to Settlers.

FORT MCINTOSH, April 21st, 1785.

To all those persons who have settled on the lands of the United States, westward of the Ohio river, contrary to the orders of Congress:

I have received your representation by James Cochran, and must inform you that my instructions are positive in driving off by force all persons who presume to settle upon or survey the lands of the United States.

As you inform me that you have sent on a petition to Congress upon the subject, and upon a consideration of your present distressed circumstances, according to your own account, I am induced to forbear sending any troops for one month from this date to dispossess you, or until further orders from authority. At the same time you must be as expeditious as possible in preparing to remove yourselves, as I am very confident that honorable body, the Congress, will not grant the prayer of your petition, in which case I shall be under necessity of executing my orders.

[Signed]

JOS. HARMAR,

Lieutenant-Colonel Commandant.

1785.—Letter from Lieutenant-Colonel Harmar to the President of Congress.

FORT MCINTOSH, May 1, 1785.

Sir: I have the honor to inclose to your excellency a monthly return of this date of the Pennsylvania and Jersey troops in the

service of the United States. In obedience to the instructions received from the honorable the commissioners for Indian affairs, upon their departure from this post, I have to inform your excellency that I detached Ensign Armstrong with a party of twenty men, furnished with fifteen days' provisions, on the 31st March last, to dispossess sundry persons who had presumed to settle on the lands of the United States on the western side of the Ohio river. The inclosed copy of the instructions, together with his orders, were posted up at Wheeling and distributed throughout the different parts of the country, in order that all persons might be made fully acquainted therewith. Ensign Armstrong, having marched with his party as far down as opposite Wheeling, which is about seventy miles from hence, pursuing the course of the river, and having executed his orders (excepting a few indulgences granted on account of the weather), returned on the 12th ult. I have the honor of inclosing to your excellency his report, with sundry petitions handed him by the settlers; likewise the opinion of some reputable inhabitants on the eastern side of the river with respect to them.

On the 20th ult. I received the inclosed representation, signed by sixty-six (?) of them, praying for a further indulgence of time, and informing me that they had sent on a petition to Congress upon the subject, in answer to which I thought it most expedient to grant them one month from the 21st ult. to remove themselves, at the expiration of which time parties shall be detached to drive off all settlers within the distance of one hundred and fifty miles from this garrison, which, in my present situation, is all that is practicable. The number of settlers lower down the river is very considerable, and from all accounts daily increasing. I would, therefore, (before I proceed further in the business) beg to know the pleasure of your excellency and your particular orders upon the subject. I have the honor to be, with the highest esteem and respect, your excellency's

Most humble and obedient servant,

JOS. HARMAR,

Lt.-Col. Com. the First American Reg't.

His Excellency,

RICHARD HENRY LEE, Esq., President of Congress.

1785. In Congress, on the 18th of March, 1785, it was resolved, "That, in order to give greater security to the frontier settlements, and establish a boundary line between the United States and the Pottawattamie, Twightwee, Piankeshaw and other western nations, a treaty will be held with the said Indians at Post Vincennes, on the Wabash river, on the 20th day of June, 1785, or at such other time or place as the commissioners may find more convenient." By a resolution of Congress of the 6th of June, 1785, the commissioners on the part of the United States were authorized and directed to obtain from the western tribes of Indians a cession of lands "as extensive and liberal as possible." The resolution of the 18th of March, the ordinance of the 20th of May, and the proclamation of the 15th of June, aroused the jealousy of the western Indians and produced no small degree of excitement among the American adventurers and the French settlers at Post Vincennes. The French settlers, by virtue of Indian grants and court concessions, claimed, on the northwestern side of the Ohio, a territory of about fifteen thousand square miles. The claims of the Illinois and Wabash Land Companies covered a region of far greater extent. Neither these land companies, nor the Miami Indians, nor the French inhabitants of Post Vincennes, were disposed to give up to the United States their respective claims to lands lying northwest of the river Ohio. The Indians who resided on the Wabash were restless and jealous of the advancing settlements of the whites; the British still held possession of the posts of Michilimacinae, Detroit, and some of their dependencies; the Spaniards claimed the right and left banks of the Mississippi, and maintained that the dominion of the United States did not extend as far westward as that river; and the inhabitants of Kaskaskia and Post Vincennes were disturbed by controversies among themselves. By a resolution of Congress of the 29th of June, 1785, the commissioners for negotiating a treaty with the western Indians were directed to hold the said treaty on the western bank of the Ohio, at the rapids, or at the mouth of the Great Miami river. At the latter place, on the 31st of January, 1786, a treaty was concluded between the United States and the Shawanee Indians.

1785. May 20th, Congress passed an ordinance relating to the

public lands lying northwest of the river Ohio. The first ordinance reported to Congress in May, 1784, proposed to divide the public lands into townships of ten miles square, each township to be divided into one hundred parts. The plan next reported, in April, 1785, proposed townships seven miles square, and this, during the debate, was altered to six miles square, which was the size suggested by Putnam, in 1783, in the memorial of the officers and soldiers of the Revolutionary War. [Journals of Congress, vol. iv. pp. 416, 508, 520; North American Review, No. C., p. 9.]

The ordinance of 1785 set apart six hundred and forty acres of land in every township to create a fund for the support of public schools. I regret that I am unable to mention, with any degree of certainty, the name of the patriot who first called the attention of Congress to the consideration of this beneficent measure.

1785.—Extract of a Letter from Colonel Harmar to the Secretary of War.

FORT MCINTOSH, June 1, 1785.

I have the honor to enclose you a monthly return of this date of the Pennsylvania and Jersey troops in the service of the United States; likewise a return of the ordnance, stores, etc., at this post. It is but very lately I had the pleasure of hearing of your appointment, otherwise the returns should have been forwarded sooner. The Wyandot and Delaware nations have brought in their prisoners (fifteen in number), agreeably to the treaty, and hostages left in my possession are now dismissed.

These nations are friendly, and, I believe, wish to cultivate a good understanding with the Americans. The Shawanees make great professions of peace, and are desirous of a treaty being held with them. The Cherokees are hostile, and have killed and scalped seven people near the mouth of the Scioto, about three hundred and seventy miles from hence.

Speeches have been continually sending by the British from Detroit to the Indians, since the treaty, and I have good intelligence that several traders have been among them, using all means to make them entertain a bad opinion of the Americans. One Simon Girty, I am informed, has been at Sandusky for that purpose. I have taken every means in my power to counteract their proceedings, and have directed the Indians not to listen to their

lies, but to tie and bring in here any of those villains who spread reports among them injurious to the United States, in order that they may be punished.

The honorable the commissioners for Indian affairs, previous to their departure, left me instructions to drive off all surveyors or settlers on the lands of the United States, in consequence of which a party has been detached, who drove them off as far as seventy miles from this post. The number lower down the river is immense, and unless Congress enter into immediate measures it will be impossible to prevent the lands being settled. I have written, some time since, upon the subject, requesting particular orders how to conduct myself, as it is out of my power to sweep them further than the distance of one hundred and twenty or one hundred and fifty miles from hence. This is a matter of so much importance that perhaps you may judge it necessary to remind Congress of it.

1785.—Letter from the Secretary of War to the President of Congress.

WAR OFFICE, July 18, 1785.

Sir: I beg leave to state to your excellency and Congress, that the term for which the corps under Lieutenant-Colonel Harmar is engaged will expire generally in the course of next month, and totally, excepting in a very few instances, in September.

It appears to be the desire of Congress that Colonel Harmar's corps should move further down the Ohio, and agreeably thereto, orders have been transmitted to him from this office for that purpose, and that he should take post somewhere near the mouth of the Scioto. This order was conditioned to take place as soon as he could be supplied with provisions, which it is now pretty certain can not be until the 1st of September, a period at which he will have but few men.

The legislature of Pennsylvania not being to meet until the 23d August, no effectual measures can be adopted by the president and council of that state to retain the men, or any part of them, until that time, although it is the wish of the president and council that the men should not be disbanded until new orders are issued to re-enlist them, and they have given it as their opinion to Colonel Harmar, to keep the men together until the desire of

the legislature can be taken; and they have informed me if an order for disbanding those troops should be given, many very considerable inconveniences will result from the measure.

I have considered that Colonel Harmar's corps could not, from the short time of service, be employed on the treaty, and I have ordered all the recruits of this state (about fifty in number) to be in readiness to march to Fort McIntosh by the 25th instant. This circumstance deranges exceedingly the recruiting business here, and as large proportion of the men have been engaged for the artillery, the company must be a mixture of artillery and infantry.

No returns have been received of any men being recruited in Connecticut. The legislature of Jersey will not assemble before September, and therefore there can be no expectations from that state.

If Congress, upon considering this statement, should be of opinion that it would be probable that Colonel Harmar could retain a sufficient number of his present corps to answer the purposes of the Indian treaties, I submit to them the propriety of passing a resolve enabling him to retain them on the present establishments until these treaties shall be accomplished.

An officer of Colonel Harmar's is here, and could immediately be dispatched with the orders of Congress.

I have the honor to be, with the highest respect,

Your excellency's most obedient humble servant,

H. KNOX.

His excellency, the President of Congress.

1785. In 1785 General Richard Butler, one of the commissioners appointed by the Congress of the United States to negotiate a treaty with the northwestern Indian tribes, left Pittsburg, and, with a small detachment of soldiers, moved down the Ohio in boats, to the mouth of the Great Miami river. In a journal kept by General Butler, under the date of October 16, 1785 (when he had arrived at a point about ten miles below the mouth of the Big Sandy river), the following passage appears: "I can not help describing the amazing plenty and variety of this night's supper. We had fine roast buffalo beef, soup of buffalo beef, and turkeys, fried catfish, fresh caught, roast ducks, good punch, Madeira, claret, grog and toddy, and the troops supplied in the most abundant manner.

They were all cheerful, and generally in perfect health, and enjoying the bounties of heaven, the land and the water."

1785. October 11th, Colonel James Monroe, of Virginia, was at Limestone, Kentucky.

1785. A few western pioneers laid the foundations of a permanent settlement at the mouth of the Great Kanawha river, in 1785.

1785. On the 15th of June, 1785, a proclamation was issued by Congress, strictly forbidding unwarrantable settlements by whites on the lands northwest of the Ohio river.

1785. Fort Harmar built on the right bank of the Ohio at the mouth of the Muskingum river, by Major John Doughty.

1785. Standing army of the United States fixed at one regiment of infantry and two companies of artillery.

1785. In the month of August, a large Indian council, composed of deputies from different tribes, was held at Ouiatenon, on the Wabash river.

1785. Settlement founded at Washington, Kentucky.

1785. October 16th, Isaac Zane killed three buffaloes on the borders of the Ohio river, about ten miles below the mouth of the Big Sandy.

1786. A skirmish took place between about thirty citizens of Vincennes and a party of Indians who were encamped on the right bank of the Wabash, near the mouth of the river Embarrass. Several Indians and some white men were killed.

1786. "The Ohio Company of Associates" was organized in New England, March 3, 1786.

1786. A Methodist preacher delivered a sermon on Friday, November 10, at a pioneer dwelling house that stood near the left bank of the river Ohio, opposite Mingo Bottom. John Mathews, who mentions the fact in his journal, does not give the name of the preacher.

1786. A treaty was concluded, on the 31st of January, 1786, at the mouth of the Great Miami river, between the United States

and several of the chiefs and warriors of the Shawanee tribe of Indians.

1786.—Letter from Captain John F. Hamtramck to Major John Plasgrave Wyllys.

FORT MCINTOSH, 27th April, 1786.

Sir: I herewith make you report of the execution of your orders, which I had the honor to receive on the 3d instant. I proceeded down the Ohio one hundred and forty miles, in search of such people as had settled on the lands of the United States contrary to the orders of Congress. I have burned their houses and other improvements, particularly their fences, which were very considerable and of great consequence to them, and which never had been touched by any of the troops. I am in hopes it will have the desired effect; however I am apprehensive it will be exceedingly difficult to prevent the land being cultivated, for I have observed that opposite every settlement that I have destroyed (that is, on the Virginia side) those people have houses and cross the river occasionally to attend to their plows and cattle, which are very numerous, and, if I may be permitted to give my opinion, I certainly think that unless Congress adopts speedy measures to settle this country, they will find many embarrassments in having it sold agreeably to their ordinance.

LIST OF HOUSES DESTROYED.

Abraham Croxen, Jeremiah Stunbury, James Fry, twenty-five miles from McIntosh. Fry's house has been sold three times.

John Castleman, John Boley, David Waddle, a few miles above Mingo Town.

James Light, Henry Long, Walter Kenny. Light's house was sold last for £125; at Grass creek.

James Joliff, John Carpenter, George Nation, David Slingerlands. Carpenter's place was sold for £270—Norristown.

Thomas Johnson, Peter Hynx, Jacob Keller, Solomon Delong, four miles from Norristown.

William Hoff, John McDonald, John Davis, Peter Street, Jonas Manser, James Dorothy, John Litton, between Norristown and Wheeling creek.

Robert Putney, James Folening, Jacob Judah, James Sylvester, Samuel Delong, at Wheeling.

Archibald Frame, John McClaughrey, John Coleman, Adam House, from three miles to seven miles on Wheeling creek. And six other houses; I could not procure their names.

I am, sir, your most obedient and humble servant,

J. F. HAMTRAMCK

To Major WYLLYS.

1786.—Extract from the orders given by the Secretary of War to Lieutenant-Colonel Josiah Harmar, commanding the troops on the Ohio.

WAR OFFICE, May 12, 1786.

The intelligence transmitted by you on the 7th instant of the conduct of the Indians towards the Miami, the latter end of March, indicates at least a partial hostility of disposition. The escape of the hostages may be accounted for on the principle of fear after they had heard of the depredations of the Indians, without knowing to what tribes they belonged.

It is apparent from the return of the prisoners, after the escape of the hostages, together with the letter of the 20th of March from the Shawanee chief, that the Shawanee tribe can not be considered as accessory to the depredations which have been committed.

But such is the critical state of affairs between the United States and the Indians, that the highest prudence is requisite on the part of the commanding officer of the troops. Distinctions must be made between the predatory incursions of a banditti collected from a number of tribes, such as the Cherokees and others settled on the Scioto, and the conduct of any of the more regular tribes.

An Indian war, disagreeable at all times, would be peculiarly distressing in the present embarrassed state of the public finances; therefore it must be avoided if possible consistently with the interest and dignity of the United States. Whenever this event shall happen, it is devoutly to be wished that it should be a war of justice on the part of the United States. But all insults to the post's troops or regular settlers protected by the ordinances and the troops of the United States must be resented and punished, if practicable, with great severity.

The emissaries who are stimulated by the British officers or

their agents will be industrious to urge the Indians to open hostilities. It will be your duty to endeavor to counteract them, and I flatter myself that you will be effectually able to accomplish it.

All your posts must be established so respectably that their security must not depend on the forbearance or good will of the savages or any other bodies of men. The commanding officers must be impressed with the idea that to be surprised or unprepared for any exigency is the greatest disgrace to a military character.

1786. July 29th, (?) the first number of the *Pittsburg Gazette*, the first paper printed on the western side of the Allegheny mountains, was published by John Scull and Joseph Hall. John Scull died at his residence in Westmoreland county, Pennsylvania, in 1828.

1786. The *Pittsburg Gazette* of the 26th of August, 1786, says: "From the 6th of July last to the 10th instant [a period of thirty-five days], the following peltry was bought up by one trader in this place, from the Indians, and mostly paid for in whisky and flour: 3,173 summer deer skins, 74 fall deer skins, 48 fawn skins, 94 bear skins, 37 elk skins, 84 beaver skins, 387 raccoon skins, 29 fox skins, 14 marten skins, 15 wild-cat skins, 17 wolf skins, 16 panther skins and 67 pairs of moccasins."

The value of the furs and peltries exported from Canada in 1786, as rated in the custom-house, amounted to 225,977 pounds sterling.

1786. In Congress, on the 24th of August, it was "resolved, that the secretary of war give orders to Lieutenant-Colonel Harmar, that he signify to the Moravian Indians, lately come from the river Huron to Cuyahoga, that it affords pleasure to Congress to hear of their arrival, and that they have permission to return to their former settlement on the Muskingum, where they may be assured of the friendship and protection of the United States, and that Lieutenant-Colonel Harmar supply the said Indians, after their arrival at Muskingum, with a quantity of Indian corn, not exceeding five hundred bushels, out of the public stores on the Ohio, and deliver the same to them at Fort McIntosh as soon after next Christmas as the same may be procured; and that he furnish the

said Indians with twenty Indian axes, twenty corn hoes and one hundred blankets; and that the board of treasury and secretary of war take order to carry the above into effect." [Journal of Congress, iv. 688.]

1786. Colonel Benjamin Logan, of Kentucky, at the head of about four hundred and fifty mounted men, crossed the Ohio river in the vicinity of Limestone (Maysville), and penetrated the Indian country as far as the head waters of Mad river. He burned eight villages, and destroyed many fields of corn. He lost ten men, took "seventy or eighty" (?) prisoners, and about twenty Indians were killed.

1786 —Extract of a Letter from Colonel Harmar to the Secretary of War.

FORT HARMAR, November 15, 1786.

In consequence of a letter from his excellency the governor of Virginia, I took it for granted, although I had not received instructions from the war office upon the subject, that it was the design of Congress that the two companies of regular troops at the rapids should co-operate with the militia in any operations which might be formed for the protection of the inhabitants from the depredations of the Indians. I have therefore directed Captain Finney to make his arrangements accordingly. A copy of his excellency's letter to me and a copy of my instructions to Captain Finney I do myself the honor to inclose to you, and hope my conduct in this affair may meet your approbation. An expedition under Colonel Logan, with nine hundred militia, went forward on the 1st ult. He returned to Limestone, from whence he set out, in a fortnight, having met with very little opposition, as all the warriors had gone to meet General Clark. Seven of the Shawanee towns were destroyed, all their corn burned, a few scalps taken and thirty women and children prisoners. Melonthy, the Shawanee king, would not fly, but displayed the thirteen stripes and held out the articles of the Miami treaty, but all in vain; he was shot down by one of the party, although he was their prisoner. I am sorry that this disgraceful affair should have happened, as Melonthy had been always represented as a friend to the United States. General Clark, with about twelve hundred men, marched from the rapids of the Ohio for the Wabash on the 17th of Sep-

tember last. I very much fear that the expedition will prove unsuccessful. The latest intelligence I have received from that quarter is that it was reported four hundred of his men had left him in a body at or near Post Vincent [Vincennes], where he was, and had returned to their homes.

The surveying business under cover of the troops still goes on. Captain Hutchins writes me that if the weather proves favorable he expects that seven ranges of townships will be completed this winter. The troops escorting him are barefoot and miserably off for clothing, particularly woolen overalls. They have a very severe, fatiguing tour of duty. I pray you to order the new clothing forwarded here as soon as possible. Be pleased to receive the inclosed copy of an answer of the Wyandots and Delawares to a speech sent them by General Butler.

Answer of the Wyandots and Delawares to the speech sent them by General Richard Butler, Esq., superintendent of Indian affairs, &c., and delivered to them by James Rankin, 23d September, 1786:

Brothers of the Thirteen Fires: We have heard what you said to us the other day. The peace we made at Beaver creek, we will always hold that belt of friendship fast, and wish you to do the same; and what you said about dividing the lands we will always stand to it, but it is best not to let it be divided yet. There is something we see behind us we don't like, and there is something from your side does not look good. If we were to force the work of the land now it might do mischief. It is best let the land alone until everything is right.

Brothers: We remember what we promised at the Miami river, but were we Wyandots and Delawares to show ourselves at the surveying of the land, we are very sure the other nations of Indians toward the sun-setting would whip us very severely, for they are very angry, and say we are just like the Americans.

Brothers: When we were at home we saw a black cloud coming from the sun-setting. We Wyandots and Delawares pushed it back, and it is still there. But now we see one rising behind you. You must look to it and push it away and make things clear.

Brothers: What we Wyandots and Delawares say to you you

may be sure is right, and what news we hear we will always let you know; and we thank you for appointing General Butler to take care of us, and that he will always let us know what news you hear.

Brothers: We hear that Captain Brant and some of the Six Nations are gone by to the Shawanees and the other nations, and we are sent for, and we believe you'll be sent for, that we may all hear what they have to say.

Brothers: The Delaware captain, Buckinguhilas, is come home from the Chickasaw country, and we are called on to go to his town to hear the news he has brought with him.

1786. By an act of the General Assembly of Pennsylvania, in December, 1786, it was declared that by a "settlement" should be understood "an actual personal resident settlement, with a manifest intention of making it a place of abode and the means of supporting a family, and continued from time to time, unless interrupted by the enemy or going into the military service of the country during the war; but that no such settler shall or may have the pre-emption of any tract exceeding four hundred acres by reason of any such settlement." [Hazard's Register of Pennsylvania, vol iv. p. 2.]

1786. A letter, dated December 14, 1786, from John Jay to Thomas Jefferson, says: "In my opinion our Indian affairs have been ill-managed. Indians have been murdered by our people in cold blood, and no satisfaction given; nor are they (the Indians) pleased with the avidity with which we seek to acquire their lands."

1786. Early in the month of October, 1786, about one thousand men, under the command of General George Rogers Clark, marched from the falls of the Ohio to Vincennes, and thence up the Wabash river, for the purpose of destroying the villages in the vicinity of the ancient post of Ouiatenon. On reaching the mouth of the Vermillion river, the discontent of the troops became so great, from various causes, that the expedition was abandoned and General Clark returned to Vincennes.

1786. In the month of October, 1786, a board, composed of

field officers in the Wabash expedition, met in a council at Post Vincennes, and "unanimously agreed that a garrison at that place would be of essential service to the district of Kentucky, and that supplies might be had in the district more than sufficient for their support, by impressment or otherwise, under the direction of a commissary to be appointed for that purpose, pursuant to the authority vested in the field officers of the district by the executive of Virginia. The same board appointed Mr. John Craig, Jr., a commissary of purchases, and resolved that one field officer and two hundred and fifty men (exclusive of a company of artillery, to be commanded by Captain Valentine Thomas Dalton) be recruited to garrison Post Vincennes, and that Colonel John Holder be appointed to command the troops in this service." In order to carry these resolutions into effect, General Clark, who "assumed the supreme direction of the corps," began to levy recruits, appoint officers, and impress provisions for the support of a garrison at Post Vincennes. He dispatched messages to the Indian tribes that lived on the borders of the Wabash, and invited those tribes to meet him in a great council at Clarksville, on the 20th of November, 1786, to make a treaty of peace and friendship. A few chiefs, of different bands, sent answers to General Clark, and expressed their willingness to meet him in council, not at Clarksville, but at Post Vincennes. On the 28th of February, 1787, the council of Virginia ordered "that it be notified to General Clark that this board disavow the existence of a power derived from them to the said Clark to raise recruits, appoint officers or impress provisions."

1786. Considerable excitement among the western pioneers on the subject of Spanish claims to territory on the borders of the river Mississippi, etc. A letter written at Louisville, Kentucky, on the 23d of December, 1786, by Colonel Thomas Green, and addressed to the governor of the state of Georgia, contains the following statements:

"Matters here seem to wear a threatening aspect. The troops stationed at Post Vincennes by orders of General George Rogers Clark have seized upon what Spanish property there was at that place, also at the Illinois, in retaliation for their many offenses.

General Clark, who has fought so gloriously for his country, and whose name strikes all the western savages with terror, together with many other gentlemen of merit, engages to raise troops sufficient and go with me to the Natchez to take possession and settle the lands agreeable to the lines of that state, at their own risk and expense: provided you, in your infinite goodness, will countenance them and give us the land to settle it agreeable to the laws of your state. Hundreds are now waiting to join us with their families, seeking asylum for liberty and religion. Not hearing that the lines are settled between you and the Spaniards, we therefore wish for your directions concerning them, and the advice of your superior wisdom; at the same time assuring you that we have contracted for a very large quantity of goods, we hope sufficient to supply all the Indians living within the limits of Georgia. Trusting that we shall be able to make them independent of the Spaniards, wean their affections and procure their esteem for us and the United States, as we expect to take the goods down with us, we earnestly pray that you would give us full liberty to trade with all those tribes, and also to give your agents for Indian affairs all the necessary instructions for the prosperity of our scheme. The season for the Indian trade will be so far advanced that I wait with very great impatience.

“General Clark, together with a number of other gentlemen, will be ready to proceed down the river with me on the shortest notice; therefore I hope and earnestly pray that you will dispatch the express back with all possible speed with your answer, and all the encouragement due to so great an undertaking. As to the further particulars, I refer you to the bearer, Mr. William Wells, a gentleman of merit, who will be able to inform you more minutely than I possibly can of the sentiments of the people of this western country.”

1786. At Danville, Kentucky, a committee was appointed to wait on General Clark “and receive from him such information as he thought proper to make respecting the establishment of the corps at Post Vincennes, of the seizure of Spanish property made at that place, and such other matters as they may think necessary.” Here follows the report of the committee:

“They find by inquiry from General Clark, and sundry papers

submitted by him to their inspection, that a board of field officers, composed from the corps employed on the late Wabash expedition, did, in council held at Post Vincennes, the 8th of October, 1786, unanimously agree that a garrison at that place would be of essential service to the district of Kentucky, and that supplies might be had in the district more than sufficient for their support, by impressment or otherwise, under the direction of a commissary, to be appointed for this purpose, pursuant to the authority vested in the field officers of the district by the executive of Virginia. The same board appointed Mr. John Craig, Jr., a commissary of purchase, and resolved that one field officer and two hundred and fifty men, exclusive of the company of artillery to be commanded by Captain Valentine Thomas Dalton, be recruited to garrison Post Vincennes. That Colonel John Holder be appointed to command the troops in this service.

“In consequence of these measures, it appears to your committee that a body of men have been enlisted and are now recruiting for one year; that General Clark hath taken the supreme direction of the corps, but by what authority doth not appear; and that the corps hath been further officered by appointments made by General Clark, who acknowledges that the seizure of the Spanish property was made by his order for the sole purpose of clothing and subsisting the troops; and that the goods seized were appropriated in this way. That John Rice Jones, who acts as commissary to the garrison, had passed receipts for the articles taken. The general alleges that the troops were raised for the security of the district; that he considers them subject to the direction of this committee, who may discharge them if they think proper, but conceives this measure may prevent the proposed treaty and involve this country in a bloody war. He denies any intention of depredating on the Spanish possessions or property at the Illinois, and declares that he never saw the intercepted letter from Thomas Green. That he understood Green's object was to establish a settlement at or near the Gaso river, under the authority of the state of Georgia; that his view was, by encouraging the settlement, to obtain a small grant of land; and that he had no idea of molesting the Spaniards or of attending Green in person. He informed the committee that the garrison now at Post Vincennes is about one hundred strong,

and that the merchants at the Illinois had determined to support it, for which purpose they had sent for the commissary, Jones, to receive provisions. That Major Bosseron was sent to the Illinois to advise the settlers there of certain seizures made at Natchez of American property by the Spanish commandant, and to recommend it to them to conciliate the minds of the Indians, and be prepared to retaliate any outrage the Spaniards might commit on their property; but by no means to commence hostilities.

“THOMAS TODD, Clerk Committee.”

[Secret Journal of Congress, iv. 311.]

1787. April 24th, the secretary of war was directed by a resolution of Congress, to order the commanding officer of the troops on the Ohio to take immediate and efficient measures “for dispossessing a body of men who had, in a lawless and unauthorized manner, taken possession of Post Vincennes in defiance of the proclamation and authority of the United States.”

1787.—Letter from Lieutenant-Colonel Harmar to Colonel Le Gras and Monsieur Bosseron at Post Vincennes.

CAMP AT THE RAPIDS OF THE OHIO, June 19, 1787.

Gentlemen: Although I have not the honor of being acquainted with you, yet I am induced to address you upon the following subject from the information given me by M. Bartholomew Tardiveau that you are good friends to the United States.

Congress, hearing of the robberies and outrages committed at Post Vincennes by a set of lawless banditti, have ordered me to march with a body of regular troops there, and to assure the French inhabitants that they shall be protected in their rights. You will please, therefore, to acquaint them of the same.

I would wish you, gentlemen, to inform the Indians that the United States wish to live in peace with them, and that they may not be alarmed at this movement; likewise to apprise them of troops being on their way to the post; not a set of villains, but regulars, and sent by the grand council of the empire, in order to preserve good faith with them, and to protect the legal inhabitants.

I have the honor to be, gentlemen, your most obedient servant,

JOS. HARMAR,

Lt.-Col., commanding the troops in the service of the United States.

1787. On the 13th of July, 1787, Congress passed an ordinance for the government of the "territory of the United States northwest of the river Ohio." Major-General Arthur St. Clair was elected by Congress governor of this territory on the 5th of October, 1787. The following is a copy of the memorable ordinance of 1787:

An Ordinance for the Government of the Territory of the United States Northwest of the River Ohio.

Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district; subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory dying intestate shall descend to and be distributed among their children and the descendants of a deceased child in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or a sister of the intestate shall have in equal parts among them their deceased parent's share; and there shall in no case be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate her third part of the real estate for life, and one-third part of the personal estate; and this law relative to descents and dower shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estate may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within

one year after proper magistrates, courts and registers shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants and other settlers of the Kaskaskies, St. Vincent's and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed from time to time by Congress a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed from time to time by Congress a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings every six months to the secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.

The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original states, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterward the legislature shall have authority to alter them as they shall think fit.

The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same be-

low the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the General Assembly the governor shall appoint such magistrates and other civil officers, in each county or township; as he shall find necessary for the preservation of the peace and good order in the same. After the General Assembly shall be organized the powers and duties of magistrates and other civil officers shall be regulated and defined by the said Assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the General Assembly; provided that, for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty-five, after which the number and proportion of representatives shall be regulated by the legislature; provided that no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years, and in either case shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; provided, also, that a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold

and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected shall serve for the term of two years, and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member to elect another in his stead, to serve for the residue of the term.

The General Assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress, any three of whom to be a quorum, and the members of the council shall be nominated and appointed in the following manner, to-wit: As soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together, and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives shall have authority to make laws, in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill or legislative act whatever shall be of any force without his assent. The governor shall have power to convene, prorogue and dissolve the General Assembly, when in his opinion it shall be expedient.

The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed in the said territory; to provide, also, for the establishment of states and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original states, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared, by the authority aforesaid, that the following articles shall be considered as articles of compact, between the original states and the people and states in the said territory, and forever remain unalterable, unless by common consent, to-wit:

ART. 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

ART. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate, and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgement of his peers or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same.

And, in the just preservation of rights and property, it is understood and declared that no law ought ever to be made or have force in the said territory that shall in any manner whatever interfere with or affect private contracts or engagements, bonafide and without fraud, previously formed.

ART. 3. Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall for ever be encouraged. The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent, and in their property, rights and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 4. The said territory, and the states which may be formed therein, shall for ever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States, in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other states; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts or new states, as in the original states, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new states, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same shall be common high-

ways and forever free, as well to the inhabitants of the said territory as to the citizens of the United States and those of any other states that may be admitted into the confederacy, without any tax, impost or duty therefor.

ART. 5. There shall be formed in the said territory, not less than three nor more than five states, and the boundaries of the states, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to-wit: The western state in the said territory shall be bounded by the Mississippi, the Ohio and Wabash rivers; a direct line drawn from the Wabash and Post Vincents, due north to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle states shall be bounded by the said direct line, the Wabash, from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern state shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania and the said territorial line: provided, however, and it is further understood and declared, that the boundaries of these three states shall be subject so far to be altered, that if Congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said states shall have sixty thousand free inhabitants therein, such state shall be admitted by its delegates into the Congress of the United States, on an equal footing with the original states, in all respects whatever; and shall be at liberty to form a permanent constitution and state government: provided, the constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these articles, and, so far as can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the state than sixty thousand.

ART. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: provided

always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, that the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are, hereby repealed and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the twelfth. CHARLES THOMSON, Secretary.

[Secret Journals of Congress, vol. iv. p. 752.]

1787. On the 5th of October, 1787, Major-General Arthur St. Clair was elected by Congress, governor of the territory of the United States northwest of the river Ohio. By the first instructions which Governor St. Clair received from Congress in 1788, he was authorized and directed, Firstly, to examine carefully into the real temper of the Indians. Secondly, to remove, if possible, all causes of controversy, so that peace and harmony might be established between the United States and the Indian tribes. Thirdly, to regulate trade among the Indians. Fourthly, to neglect no opportunity that might offer of extinguishing the Indian rights to lands westward as far as the river Mississippi, and northward as far as the completion of the forty-first degree of north latitude. Fifthly, to use every possible endeavor to ascertain the names of the real head men and warriors of the several tribes, and to attach these men to the United States by every possible means. Sixthly, to make every exertion to defeat all confederations and combinations among the tribes, and to conciliate the white people, inhabiting the frontiers, toward the Indians. [Secret Journals of Congress, i. 277.]

1787. Continued excitement among the people of Kentucky on the subject of the navigation of the Mississippi river. On the 14th of November, 1787, the secretary of war directed General Harmar, the commanding officer of the troops stationed on the borders of the Ohio, to endeavor to ascertain whether there was, at that time, any plan formed or forming among the western settlers for the invasion of the Spanish possessions. "In case," said the

secretary to General Harmar, "you shall receive such information on the subject as to remove all doubt that such a design is on the point of execution, you will form your post of such strength, if in your power, as will be able by force to prevent the passage of the party. Previously to exerting actual force you will represent on behalf of the United States, to the persons conducting the enterprise, the criminality of their conduct and the obligation of the sovereign authority to prevent, at any hazard, such an audacious proceeding."

1788. The following letter, in reference to the treatment of an American citizen in Louisiana, is a copy of the original on file in the department of state:

POST ST. VINCENNES, 23d August, 1788.

Sir: In pursuance to the ancient usage and custom of this country, I, in the month of November last, applied for and obtained leave of absence on a trading voyage; in consequence of which, and of my right as a freeman and citizen of the United States of America, I loaded a pettiauger with several goods and merchandises to the amount of five thousand and nine hundred and forty-one livres and fifteen sous in peltry currency of this place, equal to one thousand nine hundred and eighty dollars and forty-two ninetieths of a dollar, and sent them under the care and management of my clerk, Mr. Swimmer, with directions to proceed down the Mississippi river and trade them off with the Indian nations living within the boundaries of the United States of America.

Mr. Swimmer accordingly set out and went down that river to a place called the Chicasaw Lake, which is situated about ninety leagues down from the river Ohio, about twenty leagues higher than where the English fort of the Arquancas [Arkansas] formerly stood, and in about thirty-four degrees and forty minutes of north latitude, according to Hutchins' map, where he pitched his camp on the east or American side of the Mississippi, in the neighborhood of some friendly Indians who were there hunting.

Here, after a few days' stay, he was taken up by an order from Monsieur Valliere, the Spanish commandant at the post of the Arquancas, by a party of Spanish soldiers sent from that fort, who, at

the same time, seized the pettiauger and the goods, and carried them, together with my clerk and the other hands in the boat, to the Spanish fort, where Monsieur Valliere, the commandant, seized and confiscated the property for the use of the Spanish king, at the same time informing the men that his orders from the governor of Louisiana at New Orleans were express to seize and confiscate all property which might be found on the Mississippi or on either of its shores anywhere below the mouth of the Ohio, and to send the persons of those found with such goods prisoners to him at New Orleans.

Being very soon after informed of this transaction, I went myself to the Arquancas, and applied to the Spanish commandant for a restoration of my property, who, in very peremptory terms, refused giving them up, alleging his before mentioned orders, and adding that I might take it as a great favor that my clerk and hands, as well as myself, were not confined and sent in irons to Orleans as prisoners. When I reasoned on my right, as an American subject, to traffic in the American dominions, and that my property was seized in the territory to which I conceived America had an undoubted right, he stopped me short by informing me that the country on both sides of the river Mississippi, as high up as the mouth of the river Ohio, belonged to Spain, and that the whole of the country on the east side of the Mississippi, from the mouth of the Ohio downwards, was then under the Spanish government.

Surprised at this information, and not being satisfied that the governor had really given such orders, I went to New Orleans, and on or about the 20th day of May last obtained an audience of the governor, Don Mero, who, as soon as informed of my name, asked me in very haughty terms how I could have the audacity to appear before him on the subject of the seizure of my property; that, although I was Frenchman born, yet that I then was an American subject, and that if he, the governor, was to follow his orders from the court of Spain, he would send me prisoner to the mines of Brazil; and then concluded, in a threatening manner, with bidding me depart from thence and be no more seen, which last orders I was glad to obey and withdraw myself as soon and as far as possible from such despots without receiving any satisfaction.

Thus circumstanced, my only and last resource is to the honor-

able the Congress of the United States of America, as guardians of the rights and liberties of her subjects, whose persons have been seized and properties confiscated on her acknowledged territory by an armed force in pursuance to the orders of a foreign prince.

From the time that the American name has been known in this country I have been a subject of the United States. I have fought in the defense of that country whose subjects a Spanish commandant is hardy enough to oppress. I am now, unless government interferes, without any remedy for a loss which will reduce me, with a wife and numerous family, to the utmost distress.

I must beg of you, sir, to make known my case to Congress in such manner as you shall think proper, and as speedy as possible; as in me the rights of sovereignty of America as well to a very extensive territory, as to the navigation of the Mississippi anywhere below the mouth of the river Ohio, has been invaded, my cause is become a public cause, and will in its consequences determine a grand national question. I dare hope and trust that as an ancient inhabitant of this country, and as one of the first subjects of America in it, I shall be thought worthy the protection of Congress, and that they will adopt some means to give satisfaction and recompense for my losses. To convince you and the world of the justice of my cause, I propose to make oath before a magistrate of the truth of the whole of the case as before stated, and shall, whenever called upon, produce proper vouchers and proofs to authenticate the same. I am, sir, &c.,

[Signed]

JOSEPH ST. MARIE.

To MAJOR HAMTRAMCK,

First U. S. Reg't and Com. at Post St. Vincennes.

POST ST. VINCENNES, 23d August, 1788.

Personally appeared before us, the subscribers, magistrates of the district of Post St. Vincennes, Joseph St. Marie, of the same place, merchant trader, who made oath upon the holy evangelists of Almighty God that the above statement of his case is just and true. In witness whereof we have hereunto set our hands and seals the day and year above written.

[Signed]

JEAN BTE. MILLET.

JAMES JOHNSTON.

VALENTINE THOS. DALTON.

1787. During the years 1787 and 1788 the commissioners of the United States did not succeed in their attempts to make a treaty with the hostile Indians who occupied the country on the northwestern side of the river Ohio. The hostile tribes insisted that the Ohio river should be the boundary between them and the United States. In the meantime General Harmar strengthened the fort at the mouth of the river Muskingum, reinforced a small garrison at the falls of the Ohio, and secretly dispatched confidential agents to different parts of the country to ascertain the opinions of the western settlers on the subject of an invasion of the territories of Spain. Major John F. Hamtramck, of the United States army, was stationed at Post Vincennes as commandant of that place. Among the first proclamations of that officer there was one of the 3d of October, 1787, issued to prevent the sale of intoxicating liquors to Indians.

1787. The first number of the "Kentucke Gazette," the second newspaper printed west of the Allegheny mountains, was published at Lexington, Ky., on the 11th of August, by John Bradford and his brother, Fielding Bradford.

1787. On the 25th of July, 1787, Major John F. Hamtramck, with a small military force, consisting of United States troops, was stationed at Vincennes as commandant of that place.

1787. October 27, Manasseh Cutler and Winthrop Sargent, as agents for the "Ohio Company of Associates," entered into a contract with the board of treasury of the United States for the purchase of at least one million five hundred thousand acres of land lying northwest of the Ohio. [See Journals of Congress July 26, 1787; Amer. State Papers, title Public Lands, and Laws of the United States, vol. i. 456, 492; vol. ii. 276.]

1787. Marietta, at the mouth of the Muskingum river, was "laid out on the 30th of August, 1787, and the settlement began on the 7th of April following," 1788. [Statement of Thad. M. Harris, A. M., member of the Massachusetts Historical Society, 1803.]

1787. Extract from the Journals of the Ohio Company of Associates:

At a meeting of the directors of the Ohio Company, at Mr. Brackett's tavern in Boston, November 23, 1787, for the purpose of carrying into effect the surveys and other business of the Ohio Company, as agreed upon by the directors and agents at their meetings of the 29th of August last, and the 21st instant—

Ordered, that four surveyors be employed, under the direction of the superintendent hereinafter named; that twenty-two men shall attend the surveyors; that there be added to this number twenty men, including six boat-builders, four house-carpenters, one blacksmith, and nine common workmen.

That the boat-builders shall proceed on Monday next, and the surveyors rendezvous at Hartford, the 1st day of January next, on their way to the Muskingum.

That the boat-builders and men, with the surveyors, be proprietors in the company. That their tools and one ax and one hoe to each man, and thirty pounds weight of baggage, shall be carried in the company's wagons, and that the subsistence of the men on their journey be furnished by the company.

That upon their arrival at the places of destination, and entering upon the business of their employment, the men shall be subsisted by the company and allowed wages at the rate of four dollars (each) per month until discharged. That they be held in the company's service until the 1st of July next, unless sooner discharged; and that if any of the persons employed shall leave the service, or wilfully injure the same, or disobey the orders of the superintendent, or others acting under him, the person so offending shall forfeit all claim to wages.

That their wages shall be paid the next autumn, in cash or lands, upon the same terms as the company purchased them. That each man furnish himself with a good small arm, bayonet, six flints, a powder-horn and pouch, priming-wire and brush, half a pound of powder and one pound of buckshot. The men so engaged shall be subject to the orders of the superintendent and those he may appoint as aforesaid, in any kinds of business they shall be employed in, as well for boat-building and surveying as for building houses, erecting defenses, clearing land and planting or otherwise for promoting the settlement; and as there is a possibility of interruption from enemies, they shall also be subject to

orders as aforesaid in military command during the time of their employment.

That Colonel Ebenezer Sproat, from Rhode Island, Mr. Anselm Tupper and Mr. John Matthews, from Massachusetts, and Colonel R. J. Meigs, from Connecticut, be the surveyors.

That General Rufus Putnam be the superintendent of all the business aforesaid, and he is to be obeyed and respected accordingly.

WINTHROP SARGENT,

Secretary to the Ohio Company.

[Harris' Northwestern Journey.]

1787. September 17, Constitution of the United States adopted by the convention at Philadelphia.

1787.—Extract of a Letter from Colonel Josiah Harmar to the Secretary of War, dated Camp on the Kentucky Shore, just below the Rapids, July 7, 1787.

Sir: A duplicate of my last was forwarded by the way of Danville through the wilderness to Richmond, which must be the conveyance in future for my letters, as the people are so intimidated by a boat bound for Pittsburg being fired upon by a party of Indians near the Great Miami that they will not for some time venture up the river. I had given some of my letters in charge to the owner of this boat, but they were returned to me at the rapids.

Since my last I have obtained more full information of the country, and have thought it most advisable, as it will save a vast expense to the public, to make my operations chiefly by water. I have had all my keel boats repaired and put in tolerable order, and have run the public to no further expense than about ten dollars for my Kentucky boats. Last night I detached Captain Zeigler with sixty-six men in eight Kentucky boats, two large keel boats, one small keel boat and two canoes, laden with flour, cattle, whisky, etc. (being three months' provisions for three hundred men), with orders to halt at what is called the landing and carrying place, a few miles on this side of Green river, called in Hutchins' map Buffalo river. To-morrow morning early I shall move with the troops and the remainder of the fleet, and shall overtake Captain Zeigler. I propose to march by land from this carrying place to Post Vincennes. The distance, I am well informed, is no more than fifty miles. The cattle and eighteen horses will be

drove along. The flour, baggage, etc., will, under a strong guard, ascend the Wabash river, which at this season of the year will be attended with considerable difficulty.

I have sent intelligence to Colonel Le Gras and Major Bosseron, the principal inhabitants at the post, to inform them of this movement. * * * Captain Fergusson did not arrive until the evening of the 3d instant, in the old contractors' boats laden with provisions. I placed no dependence on supplies from them, neither did I know of any further engagement of theirs to supply the troops, but immediately upon my arrival at the rapids, in order to expedite the movement, gave orders to Mr. Bradshaw, the issuing commissary here, to exert himself and furnish the necessary provisions. Having considerable credit in the Kentucky country, he exerted himself and furnished the provisions accordingly. He has drawn bills on the contractors for the flour which he purchased. I sincerely hope these bills may be duly honored, for if his credit fails my resources will be materially injured. * *

I have the honor to acknowledge the receipt of your letter of the 7th of May, by Major Doughty, with the pleasing intelligence of five hundred dollars having arrived, being one month's pay for the troops and three months' subsistence for officers. I have also received your letter of the 17th May, with the sum of one thousand dollars contingent money (Captain Bradford's expenses and the discount to be deducted), which shall be administered in the most economical manner. Agreeably to your orders, I have receipted for the full sum of one thousand dollars, and now inclose you said receipt. Triplicates of the same shall be forwarded to the war office, besides one to Major Doughty.

I have undertaken to enlist for one year four men, with a promise of the same pay and rations, etc., as a regular soldier receives. These men will be extremely useful. The one is a Canadian, an interpreter, who understands the different dialects of the Wabash Indians. To this man I have promised something extra. The other three are good woodsmen, and will serve as expresses to carry dispatches to and from the post to the rapids. Two of them are also well acquainted with the navigation of the Wabash river. I trust this will meet with your approbation, as it is done upon an economical principle, and will certainly be a saving to the public.

Captain Fergusson informs me that he took on board Regan, the fellow who murdered an Indian, with a design to remove him from McIntosh to Muskingum, but being in irons, he started in his sleep and fell overboard and was drowned below Wheeling. It would have been better to have had him executed in presence of the Indians.

I am informed there are a number of British traders on the Wabash, above Post Vincennes. I hope to have the honor of addressing my next letter to you from the post, when I shall immediately proceed to expel the usurpers of the public lands and likewise reconnoitre these British traders, who are the real cause, I believe, of all the Indian disturbances. * * *

Eight of the Chickasaw nation have been with me for this week past. Their business is to have a trade with the Americans. These and the Choctaws have been treated with and are very friendly to the United States. I have given them eight match-coats and a few trifles, and shall take them down with me tomorrow as far as we go by water, and then dismiss them with a speech, and some small presents to Piamingo, the mountain leader and the Choctaw chief.

I have left an officer, with a command of twenty sick and invalids, to garrison the fort at the rapids of the Ohio. The chief duty of this officer is to forward any dispatches which may arrive from the war office to me immediately at Post Vincennes by land.

1787.—Letter from Brigadier-General Josiah Harmar to the Secretary of War.

CAMP AT POST VINCENNES, August 7, 1787.

Sir: I had the honor of addressing you last on the 7th ult., from camp on the Kentucky shore, just below the rapids of the Ohio. On the 6th ult. Captain Ziegler, with a party and an adequate number of boats, was detached from thence with the provisions. On the 8th we embarked with the remainder of the fleet and arrived on the morning of the 10th at the rocks, or the landing and crossing place, called also the Delaware Old Town, about eight miles above Green river, and one hundred and eighty miles below the rapids.

In the afternoon of the same day I detached Major Hamtramck with a party of one hundred men to conduct the whole fleet from

the landing to the mouth of the Wabash and then to ascend the river for Post Vincennes. On the morning of the 11th, with the residue of the troops, I took up the inclosed order of march, with our cattle in the center, in very warm weather, and the men being obliged to carry fifteen days' flour upon their backs rendered it very fatiguing. A due north course from the landing and carrying place would have struck the post in fifty miles distance from the Ohio, but we were obliged to oblique for the sake of water.

On the 16th we forded the White river (a considerable stream) about fifteen miles below the forks, and arrived at Post Vincennes on the 17th at noon. The whole march computed to be about seventy miles.

From the Ohio, where we set out to the White river, we had a very difficult march, the country being full of thickets and scarce of water, but afterwards we marched through fine open woods and large prairies or natural meadows, and encamped on the banks of the Wabash. On the 18th we were visited by Colonel Le Gras, the magistrates and the principal French inhabitants welcoming us upon our arrival. Their behavior was most respectfully submissive. In the afternoon of the same day, finding the Wabash river so low and difficult to ascend, I detached a sergeant and twenty men, in three barges and five pettiaugers, to meet Major Hamtramck and lighten the fleet.

Post Vincennes is a very considerable village, situated upon the Wabash, about one hundred and twenty miles from the mouth. It contains near four hundred houses (log and bark), outhouses, barns, etc. The number of inhabitants, about nine hundred (souls) French and about four hundred (souls) Americans. Monsieur Vincennes, the French officer from whom it derives its name, I am informed, was here and commenced the settlement sixty years ago.

On the 20th I called upon Colonel Le Gras for a sight of the French grants and all other papers respecting the original settlers. The papers were produced, but I declined having a translation of them until the arrival of Mr. Bartholomew Tardiveau, a French gentleman, who was with Major Hamtramck in the fleet, well acquainted with the inhabitants and the footing they held their land upon. I expected his arrival every day. Major Hamtramck did

not arrive with the boats until the 25th, having been eleven days on very severe, fatiguing duty ascending the Wabash. He was obliged to leave Ensign Ryker Suydam, with a party, with the clothing, all the whisky and chief part of the flour at the mouth of the Wabash, the water being so shoal that the boats could not ascend the river.

On the 26th I detached Lieutenant Armstrong, with a party of forty-five fresh men, in several pettiaugers, to join Ensign Suydam and assist in bringing up the provisions and our new clothing, which was left behind at the mouth of the river.

On the 27th the resolve of Congress respecting the intruders on the public lands, together with my orders, were published in English and French, which amazed the inhabitants exceedingly, particularly those who style themselves Americans. A copy of the said resolve and the orders relative thereto I do myself the honor to inclose.

On the 20th (?) eight Piankeshaw Indians arrived from the Terre Haute, up the Wabash, in consequence of Colonel Le Gras' information to them of the troops coming to the post. On the 29th I had a conference with them, and presented them with thirteen strings of wampum and assured them of the friendly disposition of the United States, and advised them not to listen to what any bad people might say to the contrary. I sent a message by these Indians to all the chiefs of the different tribes on the Wabash, inviting them to assemble here and hear what I had to say to them. These Indians were well pleased—they presented me with a calumet; I gave them some small presents, and they set off on the 31st to deliver my message to the different chiefs. The French inhabitants at the same time sent a speech to them, a copy of which I have the honor to inclose.

On the 5th instant Lieutenant Armstrong and Ensign Suydam arrived with the stores, clothing, etc., from the mouth of the Wabash, after a very fatiguing, dangerous passage. Several parties of Indians were hovering about the Wabash; they waylaid a canoe on the 25th ultimo, which had fallen in the rear at what is called the long rapid, on board of which were some flour and whisky, private property, belonging to our guide. They killed one of Captain Zeigler's company and a Frenchman, and took prisoner

one of the men whom I had enlisted for one year. I informed the Indians of this circumstance and to tell their chiefs that if they did not desist they would certainly draw upon them the vengeance of the United States. They disavowed, in strong terms, any knowledge of this murder.

I humbly conceive that the great objects I have to attend to will be to prevent illegal encroachments on the public lands, to secure happiness to the inhabitants, and to protect private property from arbitrary invasion, and to remove, if possible, diffidence, fear and jealousy from the minds of the Indians. To these points I shall bend my attention. I have been busily employed, with the aid of Mr. Tardiveau, in order to make a discrimination between the lands legally obtained and those that have been encroached upon without sufficient authority.

The French inhabitants are about framing an humble petition to Congress, and will, I believe, give up their charter and trust to Congress for what lands that honorable body may please to grant them. Such American inhabitants as have settled under the French charter are also framing a petition to Congress, praying for relief, and they will be recommended by the French. As there are no intruders out of the village, I shall wait for these petitions and inclose them to the war office, and although the 1st of September is the given period for them to depart, as I can not yet possibly ascertain who are actually intruders, I shall not proceed to expel them until their petitions are sent on and their fate determined and I receive orders from Congress or the war office upon the subject.

Both parties will appoint Mr. Bartholomew Tardiveau as their agent. He will go on to Congress in the course of next month. As the Indian chiefs (if they come at all) will not be here in less than a month, I propose to take a subaltern's guard and to proceed to Kaskaskia, in company with Mr. Tardiveau, the next day after to-morrow, in order that I may be enabled to give a statement of affairs in that part of the United States.

This movement of the troops will have a peculiar good effect. It will deter several people from Kentucky and other parts from taking up the public lands. A door was opening very fast for intrusions from that quarter. Many of General Clark's militia, on

their march towards the Vermillion town, had cast their eyes on choice land, and I am informed had made what they called tomahawk rights.

1787.—Copy of General Harmar's Speech to the Indians at Camp at Post Vincennes, September 7, 1787.

Brothers, I am very happy to see you at our camp and welcome you to it. I have to inform you that we are part of the warriors sent into this country by the thirteen great fires. They are represented by these thirteen strings of wampum, which I now present to you. We are ordered to protect and defend all friendly Indians, as well as all other inhabitants of the United States, from the insults and depredations of their enemies.

Brothers, the Virginians, whom you call the Big Knife, and your fathers, the French, here and at all the other villages, are all subjects of the thirteen great fires, and are the same with them. I have invited you here to tell you that they wish to live in peace and friendship with you, therefore advise you to remain peaceable in your towns and endeavor all in your power to brighten the chain of friendship. On our part the path shall be opened, the stumps shall be cut away and the thorns rooted up, that you may walk safely in a smooth road. We wish to take you by the hand and render you all glad.

Brothers, you have long been deceived. Listen not to what bad men may tell you. Be assured that the thirteen great fires are strong and powerful. They are the same who not long since beat the mighty armies of the king of the great island of Britain. Should they stretch out their right hand against any of the nations of Indians they would destroy them as the small shrub is easily crushed by the fall of the lofty oak. They will revenge any injuries which may be offered to their subjects or those under their protection by any nation or tribe of Indians whatever.

Brothers, one of our young warriors was killed by some of your nations about a month ago, coming up the Wabash, and another taken prisoner. I demand to know by what nation this murder was committed, and that the prisoner be returned to me.

Brothers, you may come and trade with us in safety. The traders here will furnish you with such articles as you may want

for your skins and furs. It will tend to brighten the chain and to keep the path open.

1787.—Extract from a Letter from Brigadier-General Josiah Harmar to the Secretary of War, dated Fort Harmar, at the Mouth of the Muskingum, November 24, 1787.

Sir: I had the honor of addressing you last from camp at Post Vincennes on the 7th of August. The original was forwarded from Louisville through the wilderness, and a duplicate forwarded from the rapids of the Ohio up the river to Pittsburg. I hope they have safe arrived.

In my last letter, after having published in French and English the resolve of Congress respecting the intruders upon the public lands at Post Vincennes, together with my orders relative thereto, and after having sent messages to the several Indian chiefs on the Wabash to assemble at the post and hear what I had to say to them, as there was no probability of these chiefs coming in in less than a month I informed you that it was my intention to employ that time in visiting Kaskaskia, in order that I might be enabled to render a statemnt of affairs in that part of the United States. Accordingly I marched on the 9th of August from the post [Vincennes] with a subaltern (Ensign McDowell) and thirty men through the prairies, and arrived at Kaskaskia on the 16th of the same month. Our march was very fatiguing, as the weather was excessive warm and water very bad and scarce on our route. The distance is about one hundred and sixty miles. The French call it eighty leagues. I was accompanied by two Indians (Pachan, a Miami chief, and his comrade), who hunted and supplied the party with meat (buffalo and deer), both on the march and upon our return.

. These prairies are very extensive natural meadows, covered with long grass; one in particular which we crossed was eight leagues in breadth. They run in general from north to south, and, like the ocean, as far as the eye can see the view is terminated by the horizon. Here and there a copse of woods is interspersed. They are free from brush and underwood, and not the least vestige of their ever having been cultivated. The country is excellent for grazing, and abounds in buffalo, deer, bear, etc. It is a matter of speculation to account for the formation of the prai-

ries. The western side of the Wabash is overflowed in the spring for several miles.

On the 17th I was visited by the magistrates and principal inhabitants of Kaskaskia, welcoming us upon our arrival. Baptiste De Coigne, the chief of the Kaskaskias Indians, paid me a visit in the afternoon and delivered me a speech expressive of the greatest friendship for the United States, and presented me one of the calumets or pipes of peace, which is now sent on. Some of the Peoria Indians likewise visited me. The Kaskaskias, Peorias, Cahokias and Mitchi tribes compose the Illinois Indians. They are almost extinct at present, not exceeding forty or fifty total.

Kaskaskia is a handsome little village situate on the river of the same name, which empties into the river Mississippi at two leagues distance from it. It is one hundred and five miles up the Mississippi from the mouth of the Ohio. The situation is low and unhealthy, and subject to inundation. The inhabitants are French, and much of the same class as those at Post Vincennes. Their number, 191, old and young men.

Having very little time to spare, I left Ensign McDowell with the party at Kaskaskia, and on the 18th set out, accompanied by Mr. Tardiveau and the gentlemen of the village, for Cahokia. We gained Prairie du Rocher, a small village five leagues distant from Kaskaskia, where we halted for the night.

On the 19th we passed through St. Philip, a trifling village three leagues distant from Prairie du Rocher, and dined at La Belle Fontaine, six leagues further. La Belle Fontaine is a small stockade, inhabited altogether by Americans who have seated themselves there without authority. It is a beautiful situation, fine, fertile land, no taxation, and the inhabitants have abundance to live upon. They were exceedingly alarmed when I informed them of their precarious state respecting a title to their possessions, and have now sent on a petition to Congress by Mr. Tardiveau. On the same day we passed another small stockade, Grand Kinsseau, [?] inhabited by the same sort of Americans as those at La Belle Fontaine, and arrived at Cahokia that evening.

Cahokia is a village nearly of the same size as that of Kaskaskia, and inhabited by the same kind of people. They number 239—old men and young. I was received with the greatest hos-

pitality by the inhabitants. There was a decent submission and respect in their behavior. Cahokia is distant from Kaskaskia twenty-two French leagues, which is about fifty miles.

On the 21st, in consequence of an invitation from Monsieur Cruzat, the Spanish commandant at St. Louis, we crossed the Mississippi and were very politely entertained by him ; after dinner we returned to Cahokia.

St. Louis, nicknamed Pancour [Pain Court (?)], is much the handsomest and genteelest village I have seen on the Mississippi. It is about four miles distant from Cahokia, and five leagues above it the river Missouri unites with the Mississippi. The inhabitants are of the same sort as before described, excepting that they are more wealthy. About twenty regular Spanish troops are stationed here.

On the 22d I left Cahokia to return to Kaskaskia. Previous to my departure, at the request of the inhabitants I assembled them and gave them advice to place their militia upon a more respectable footing than it was, to abide by the decision of their courts, etc., and if there were any turbulent or refractory persons, to put them under guard until Congress should be pleased to order a government for them.

Exclusive of the intruders already described, there are about thirty more Americans settled on the rich, fertile bottoms on the Mississippi, who are likewise petitioning by this conveyance.

On the 23d I passed by the ruins of Fort Chartres, which is one league above the Prairie du Rocher and situate on the Mississippi. It was built of stone and must have been a considerable fortification formerly, but the part next the river has been carried away by the floods, and is of no consequence at present. I staid about a quarter of an hour, but had not time to view it minutely, as it was a thicket within. Several iron pieces of cannon are here at present and also at the different villages. This evening I returned to Kaskaskia.

On the 24th, Monsieur Peruse, the Spanish commandant at St. Genevieve, sent me an invitation to pay him a visit. We crossed the Mississippi accordingly, were politely entertained, and after dinner returned to Kaskaskia.

St. Genevieve (nicknamed Misere), is a village much inferior

in every respect to St. Louis. It is about four miles (including the passage of the Mississippi) distant from Kaskaskia. About eight or ten Spanish troops are stationed here.

On the 26th, at the request of the inhabitants, * * * I assembled them and gave them advice to regulate their militia and obey their magistrates, etc., until Congress should be pleased to order a government for them.

I have to remark that all these people are entirely unacquainted with what Americans call liberty. Trial by jury, etc., they are strangers to. A commandant, with a few troops, to give them orders, is the best form of government for them; it is what they have been accustomed to.

On the 27th I left Kaskaskia, after having received every mark of respect and attention from the inhabitants, in order to set out for the post. We marched by a lower route, several of the French and the Kaskaskia chief, with his tribe (about ten in number), accompanied us, and we arrived safe at Post Vincennes in the afternoon of the 3d of September. I make the distance by the lower route to be about one hundred and seventy miles.

On the 5th the Piankeshaw and Wea Indians arrived at the post from up the Wabash, to the number of about one hundred and twenty. Every precaution was taken. We had a fortified camp, two redoubts were thrown up, one on our right and left, and the guard in front entrenched. The troops were all new clothed and made a truly military appearance. The Indians saluted us by firing several volleys on the Wabash, opposite our camp. Their salute was returned by a party of ours firing several platoons.

I was determined to impress upon them, as much as possible, the majesty of the United States, and at the same time they were informed that it was the wish of Congress to live in peace and friendship with them, likewise to let them know that if they persisted in being hostile that a body of troops would march to their towns and sweep them off the face of the earth.

On the 7th I invited them to camp and made the inclosed speech to them. The Indians admired the troops. I believe they had never seen such a sight before.

On the 8th they answered my speech, and in strong figurative

language expressed their determination to preserve perfect peace and friendship with the United States, as long as the waters flowed, etc. They utterly disavowed any knowledge of the murder that had been committed, and assured me that inquiry should be made for the prisoner.

They presented me with a number of calumets and wampum, which I now have the honor of transmitting, inclosed in a rich otter skin. They will be delivered by Mr. Coudre. Mr. Coudre has acted as a volunteer for a considerable time in the regiment, and has conducted himself with propriety. If a vacancy should happen in the Connecticut quota, I beg leave to recommend him to your notice.

On the 9th the young warriors were drinking whisky and dancing before our tents all the morning to demonstrate their joy.

On the 10th I made them several presents from the commissioners' goods to no great amount.

On the 12th the chief part of them left the post for their different villages up the Wabash. They returned highly satisfied with the treatment they received. Indeed, it was a proper tour of fatigue for me. I found it politic to pay the greatest attention to them. They are amazingly fond of whisky, and destroyed a considerable quantity of it. I trust that you will find this conference with the Indians attended with very little expense. I question whether the whole, whisky, provisions and presents, will cost the public more than one hundred and fifty dollars.

Their interpreter is a half Frenchman and married to a Wea squaw. He has very great influence among them. I judged it necessary to pay extraordinary attention to him.

I have the honor to acknowledge the receipt of several letters from you, which I shall fully answer by the next conveyance, particularly one of the 2d of August, inclosing me a brevet commission of brigadier-general.

After finishing the conference with the Indians and obtaining the inclosed petition of the inhabitants at Post Vincennes to Congress, relinquishing their charter and trusting to the generosity of that honorable body, I judged it expedient to leave a garrison at the post, as it would have been impolitic, after the parade we had made, to entirely abandon the country. Accordingly Major Ham-

tramek commands there. His command consists of Captain Smith's company, fifty-five, and part of Fergusson's company, forty; total, ninety-five. I have ordered him to fortify himself and to regulate the militia, who are to join him in case of hostilities. You are pleased to ask my opinion of the price of the ration at the post. I conceive that the contractors could afford it for the same price there as at the falls, provided the troops bring it on; otherwise they can not, as the expense of transportation, hiring of hands, etc., is considerable. It was an uncommon sickly season at the post. In the month of September I had no less than ninety-six sick present.

Having arranged all matters to my satisfaction, as we had a long and tiresome voyage before us, I began to think of winter quarters. Accordingly on the 1st of October I marched by land with the well men of Captains Zeigler's and Strong's companies (total, seventy-one,) for the rapids of the Ohio. I gave orders to Major Wyllys to command the fleet, and to embark for the rapids the next morning with the late Captain Finney's and Mercer's companies and the sick of the other companies, and a brass three-pounder.

I omitted mentioning of my taking into our possession some ordnance and ammunition (public property) at Louisville, and at the post; at the former we got a brass six-pounder, with several swivels; at the latter, from Mr. Dalton, two brass three-pounders. I thought it best that the public property should be under our own charge.

We marched along what is called Clark's trace, and arrived on the 7th of October at the rapids of the Ohio. I was mistaken in a former letter concerning the distance. It is about one hundred and thirty miles. We saw no Indians nor signs of Indians. From the falls to the post the country is in general hilly and good wheat land.

Major Wyllys, with the fleet, arrived at Clarksville on the 21st. On the 23d and 24th the men were all employed in dragging the boats over the falls, a very difficult, fatiguing tour of duty, the more so as the water was remarkably low.

On the 28th I left the falls in the barge for the Muskingum,

with orders for Captains Zeigler and Strong, with their companies, to follow me the next day.

On the 13th November we arrived at this post. Captain Zeigler arrived here with the fleet on the 21st. We were favored with remarkably fine weather ever since we set out from the post.

The following are among my arrangements for winter quarters:

At Venango, Captain Heart's company; at McIntosh, part of Captain Fergusson's company; at Muskingum, Captain Zeigler's, Captain Strong's, Captain McCurdy's, Captain Bradford's companies; at the rapids of the Ohio, the late Captain Finney's, Captain Mercer's companies; at Post Vincennes, Captain Smith's and part of Captain Fergusson's companies.

Such a large proportion of the regiment being quartered at Muskingum during the winter will save the public considerable expense with respect to provisions.

The water being so exceeding low detained Lieutenant Beatty a long time at Fort Pitt. He did not arrive at this garrison until the 20th instant, at night. We are all happy to find that he has obtained such a just and honorable settlement for the regiment, and we are much indebted to you for having been pleased to lend him every assistance in the business.

The bearer, Mr. Bartholomew Tardiveau, I believe you will find to be a sensible, well informed gentleman, as well, if not better, acquainted with the western country (particularly the Illinois) than any one who has ever been from thence to Congress. I beg leave to refer you to him for a minute and particular description of it. There have been some impostors before Congress, particularly one Parker, a whining, canting Methodist, a kind of would-be-governor. He is extremely unpopular at Kaskaskia, and despised by the inhabitants. I am happy to hear of General St. Clair's appointment as governor of the western territory, as it will add to the dignity and consequence of Congress.

Be pleased to receive the inclosed monthly returns of the regiment, dated the 1st of September, 1st of October and 1st of November.

You are pleased to ask me intelligence respecting the military lands. From Fort Massac to the mouth of the Ohio, and from

thence about twenty miles up the Mississippi, the country overflows and is by no means habitable.

I shall have the honor of writing to you again in a short time.

I have the honor to be, sir,

[Signed]

JOS. HARMAR.

The Hon. Major-General KNOX, Secretary of War.

1787.—Extracts of a Letter from Brigadier-General Josiah Harmar to the Secretary of War.

FORT HARMAR, December 9, 1787.

Sir: I had the honor of addressing you last on the 24th ult. by Mr. Bartholomew Tardiveau, since which nothing particular has happened in this quarter. I now have to acknowledge the receipt of the original and duplicate of your letter of the 19th of June and your letter of the 24th July, inclosing me the resolve of Congress passed on the 21st of the same month.

After maturely and seriously weighing the matter for calling upon the state of Virginia for one thousand militia to co-operate with the regular troops against the savages (which powers Congress has been pleased to invest me with), provided they were generally hostile, there was nothing appeared, in my opinion, to justify me in making the application. It is a mortifying circumstance that, while under the sanction of federal authority negotiations and treaties are holding with the Indians, that there should be such presumption in the people of Kentucky as to be forming expeditions against them. * * * I hope before this letter reaches you that Mr. Tardiveau has arrived, by whom I wrote a minute and particular account of all my transactions until the 24th ult. A duplicate was not sent, as I esteemed it a safe and speedy conveyance. The circumstance of the French at Post Vincennes giving up their charter and trusting to the generosity of Congress I believe will have a good effect. At any rate, a stop was put to their magistrates selling the public lands. * * * Merely for transmitting to you information concerning the population of this western world, I have continued to order the officer of the day to take an account of the people emigrating down the river. From the 1st June to this day there has passed this garrison bound for

Kentucky, 146 boats, 3,196 souls, 1,381 horses, 165 wagons, 171 cattle, 245 sheep and 24 hogs.

1788. Settlement commenced at the site of Marietta on the 7th of April, 1788. The place did not receive the name of Marietta until July 2d of that year. It was called "Adelphi" in a letter written at the settlement on the 16th of May, 1788, and addressed to "the printer of the Massachusetts Spy."

1788. July 9th, Governor St. Clair arrived at Marietta, where he laid out the county of Washington, and began to organize the government of the northwestern territory, according to the provisions of the ordinance of Congress of July 13, 1787. Before the close of the year 1788, the governor and the judges of the general court of the territory, Samuel Holden Parsons, John Mitchell Varnum and John Cleves Symmes, adopted and published various laws.

A law respecting crimes and punishments was published at Marietta, in the territory of the United States northwest of the river Ohio, on the 6th of September, 1788. By this statute the crimes of treason, murder, and house-burning (in cases where death ensued from such burning), were respectively punishable by death.

The crimes of burglary and robbery were each punishable by whipping, not exceeding thirty-nine stripes, fine and imprisonment for any term not exceeding forty years.

For the crime of perjury the offender was punishable by a fine not exceeding sixty dollars, or whipping not exceeding thirty-nine lashes, disfranchisement and standing in the pillory for a space of time not exceeding two hours.

Larceny was punishable by fine or whipping, at the discretion of the court. If the convict could not pay the fine, it was lawful for the sheriff, by the direction of the court, to bind such convict to labor, for a term not exceeding seven years, to any suitable person who would pay such fine.

Forgery was punishable by fine, disfranchisement and standing in the pillory for a space of time not exceeding three hours.

Drunkenness was punishable by fine or by setting in the stocks for the space of one hour.

The following declarations appear in the statute respecting crimes and punishments :

“Whereas, idle, vain and obscene conversation, profane cursing and swearing, and more especially the irreverently mentioning, calling upon or invoking the sacred and Supreme Being, by any of the divine characters in which he hath graciously condescended to reveal his infinitely beneficent purposes to mankind, are repugnant to every moral sentiment and subversive of every civil obligation, inconsistent with the ornaments of polished life and abhorrent to the principles of the most benevolent religion. It is expected, therefore, if crimes of this kind should exist, they will not find encouragement, countenance or approbation in this territory. It is strictly enjoined upon all officers and ministers of justice, upon parents and others, heads of families, and upon others of every description, that they abstain from practices so vile and irrational ; and that, by example and precept, to the utmost of their power, they prevent the necessity of adopting and publishing laws, with penalties, upon this head. And it is hereby declared that government will consider as unworthy its confidence all those who may obstinately violate these injunctions.”

“Whereas, mankind in every stage of informed society has consecrated certain portions of time to the particular cultivation of the social virtues and the public adoration and worship of the common Parent of the Universe ; and whereas, a practice so rational in itself and conformable to the divine precepts is greatly conducive to civilization as well as morality and piety ; and, whereas, for the advancement of such important and interesting purposes, most of the Christian world have set apart the first day of the week as a day of rest from common labors and pursuits, it is therefore enjoined that all servile labor, works of necessity and charity only excepted, be wholly abstained from on said day.”

The third section of a law regulating marriages is in the words following :

“Previously to persons being joined in marriage, as aforesaid, the intention of the parties shall be made known by publishing the same for the space of fifteen days at the least, either by the same being publicly and openly declared three several Sundays, holy days, or other days of public worship, in the meeting in the

towns where the parties respectively belong, or by publication in writing under the hand and seal of one of the judges before mentioned, or of a justice of the peace within the county, to be affixed in some public place in the town wherein the parties respectively dwell; or a license shall be obtained of the governor, under his hand and seal, authorizing the marriage of the parties without publication, as is in this law before required."

1788.—Extract of a Letter from General Harmar to the Secretary of Congress.

FORT HARMAR, July 23, 1788.

Sir: At the request of the governor I ordered a subaltern, sergeant, corporal and twenty privates as an escort for the provisions and to build a council room for the savages at the falls of the Muskingum. Regardless of all faith and honor a party of the Ottawas and Chippewas attacked this party on the morning of the 12th inst. and killed two; one is missing and two wounded, one very badly. The loss of the Indians was two killed on the spot, one wounded and six taken prisoners, who are now in confinement and under heavy irons at this garrison. I sincerely hope that the new government will soon begin to operate, in order that we may be enabled to sweep these perfidious villains off the face of the earth.

1788. At a meeting of the Ohio Company Associates in March, 1788, before the settlement at Marietta, it was resolved "that the directors be requested to pay as early attention as possible to the education of youth and the promotion of public worship among the first settlers."

1788. St. Louis contained a population amounting to eleven hundred and ninety-seven.

1788. The county of Allegheny, in Pennsylvania, was laid out.

1788. The 10th of October was the last day on which the Congress, under the articles of confederation, met in numbers sufficient to form a quorum.

1788. In the month of November Major Benjamin Stites, in

company with about twenty persons, established a settlement, which they called Columbia, at the mouth of the Little Miami river.

1788. John Filson, author of the first history of Kentucky, was killed by Indians in September, 1788.

1788. The first session of a court of common pleas held under the authority of the United States in the territory northwest of the river Ohio was opened by prayer at Marietta on the 2d day of September, 1788. The judges were Rufus Putnam, Benjamin Tupper and Archibald Craig; clerk, Return J. Meigs; sheriff, Ebenezer Sproat.

1788. On the 20th of July, 1788, the Rev. Dr. Brick preached "the first sermon ever delivered in the Protestant style to a congregation of civilized people in the territory" northwest of the river Ohio. [Hildreth's Ohio Valley, p. 513.]

1788. James Rumsey built a small steamboat on the Potomac river, about twelve miles above Harper's Ferry. (?)

1788. October 15th, the board of the treasury of the United States agreed, by contract, to sell to John Cleves Symmes, one million acres of land on the northwestern side of the Ohio river between the Great Miami and the Little Miami rivers.* The settlement of Symmes' purchase was commenced in 1789, in the course of which year Fort Washington was erected by a detachment of troops under the command of Major John Doughty, on a portion of the ground which is now the site of Cincinnati, and a few families settled on the rich bottom lands just below the mouth of the Little Miami river, where they laid the foundation of the town of Columbia. Sometime in the same year a town, which was called Losantiville, was laid off on the lands adjoining Fort Washington.

1788.—Extract of a Letter from General Harmar to the Secretary of War.

FORT HARMAR, September 14, 1788.

Sir: Captain Zeigler arrived at this post on the 9th instant, with his company—total, fifty-six—escorting the Corn Planter, Half Town, an Oneida chief, and several of the Six Nations,

*American State Papers, Public Lands, vol. i. 93, 115; Laws U. S., vol. i. 457, 494, 495, 497; vol. ii. 270, 287; vol. iii. 264, 428, 502, 541, 554.

amounting in the whole to about fifty, including men, women and children, in order to attend the treaty.

I have the mortification to inform you that on the 27th of July last a party of thirty-six men, under the command of Lieutenant Peters, who were detached by Major Hamtramck to bring up provisions, was attacked on the Wabash, near its mouth, by the savages. Ten of the party were killed and eight wounded.

JOSIAH HARMAR.

1788. Matthias Denman, having purchased about eight hundred acres of land lying opposite the mouth of Licking river, visited Lexington, Kentucky, in 1788; and, at that place Colonel Robert Patterson and John Filson became associated with Mr. Denman in the design of laying out a town on the land where Cincinnati now stands. The following advertisement was then published in the Kentucky Gazette, of September 6, 1788:

“NOTICE.—The subscribers, being proprietors of a tract of land opposite the mouth of Licking river, on the northwest side of the Ohio, have determined to lay off a town upon that excellent location. The local and natural advantages speak its future prosperity, being equal, if not superior, to any on the bank of the Ohio between the Miamis. The inlots to be each half an acre, the outlots four acres; thirty of each to be given to settlers, upon paying one dollar and fifty cents for the survey and deed of each lot. The 15th day of September is appointed for a large company to meet in Lexington and mark a road from there to the mouth of Licking, provided Judge Symmes arrives, being daily expected. When the town is laid off lots will be given to such as become residents before the 1st day of April next.

“MATTHIAS DENMAN.

“ROBERT PATTERSON.

“JOHN FILSON.

“LEXINGTON, KY., September 6, 1788.”

[Collins' Kentucky, ii. 432.]

1788. A party of men left Limestone, Kentucky, on the 24th of December, 1788, to establish a settlement at the place where Cincinnati now stands. “On the 28th December, 1788, Israel Ludlow, with about twenty other persons, landed and commenced

a settlement. They erected three or four log cabins; * * * and in the course of January following was completed the survey and laying off of the town." [Cist's Cincinnati.]

1788. Extract of a letter "from young Kirk, the noted Indian killer, to John Watts, now chief war captain of the Cherokee nation," dated "October 17, 1788," and signed "John Kirk, Jr., captain of the Bloody Rangers":

* * * "When all was peace with Tanisee town, Slim Tom, with a party of Sattigo and other Cherokee Indians, murdered my mother, brothers and sisters in cold blood, when the children just before was playing about them as friends, and the very instant some of them received the blood tomahawk they were smiling in their faces. This begun the war, and since I have taken ample satisfaction and can now make peace, except with Slim Tom. Our beloved men, the Congress, tells us to be at peace. I will listen to their advice if no more blood is shed by the Cherokees." * * * [Pennsylvania Journal, January 28, 1789; Philadelphia: Printed by Thomas Bradford.]

1789. The first Congress under the Constitution of the United States met at New York, on the first Wednesday in March.

1789. April 30, Washington inaugurated first President of the United States.

1789. Fort Steuben, a block-house, was built at the site of Steubenville, Ohio.

1789. January 9, at Fort Harmar, Governor St. Clair concluded a treaty with a number of Indians of the Six Nations, and also a treaty with several different sachems and warriors of the Wyandot, Delaware, Ottawa, Chippewa, Pottawattamie and Sac Indians. These latter nations, however, refused to acknowledge the validity of the treaty of Fort Harmar; and, early in the spring of 1789, small roving parties of Indians began to commit depredations on defenseless white settlements along the western frontiers of Virginia and Kentucky.

1789. June 15, General Henry Knox, secretary of war, says: "By the best and latest information, it appears that, on the Wa-

bash and its communications, there are from fifteen hundred to two thousand warriors. An expedition against them, with a view of extirpating them, or destroying their towns, could not be undertaken, with a probability of success, with less than an army of two thousand five hundred men. The regular troops of the United States on the frontiers are less than six hundred." * * * "An inquiry arises whether, under the existing circumstances of affairs, the United States have a clear right, consistently with the principles of justice and the laws of nature, to proceed to the destruction or expulsion of the savages on the Wabash, supposing the force for that object easily attainable."

1789.—Extract from a Letter Written "by an Officer Belonging to the Federal Troops," Dated "Rapids of the Ohio, 1st July, 1789."

"Our affairs in this quarter at present bear a gloomy aspect. I am just returned from Post St. Vincent on the Wabash, with a detachment of fifty-five men, who were employed as an escort to provisions for that garrison, and believe me, sir, it is almost next to an accident that my whole party was not cut off. The river was lined with Indians. I completed a passage to and from the post in twenty-one days. * * * The presence of the governor is much wanted at the different settlements on the Mississippi, and indeed if he does not come out soon, we may judge from appearances, those settlements will generally break up. * * * I learn that on the first of next month Major Hardin, with two hundred volunteers on horseback, from the district of Kentucky, are to assemble at the rapids on their way to some of the Indian towns on White river in order to destroy a banditti that live there and are very troublesome to the settlement." [American Museum for August, 1789.]

1789. On the 26th of August, 1789, Colonel John Hardin, at the head of about two hundred mounted men from Kentucky, marched from the falls of the Ohio to attack some Indians who dwelt on the Wabash or its tributaries. This expedition returned to Louisville without the loss of a man, having killed six Indians, plundered and burned one deserted village, and destroyed a considerable quantity of corn.

1789. On the 14th of September, 1789, Governor St. Clair addressed to President Washington a letter, from which the following is an extract: "The constant hostilities between the Indians who live upon the river Wabash and the people of Kentucky, must necessarily be attended with such embarrassing circumstances to the government of the northwestern territory, that I am induced to request you will be pleased to take the matter into consideration, and give me the orders you may think proper. It is not to be expected, sir, that the Kentucky people will or can submit patiently to the cruelties and depredations of those savages. They are in the habit of retaliation, perhaps without attending precisely to the nations from which the injuries are received. They will continue to retaliate, or they will apply to the governor of the northwestern territory (through which the Indians must pass to attack them) for redress. If he can not redress them (and in the present circumstances he can not), they also will march through that country to redress themselves, and the government will be laid prostrate. The United States, on the other hand, are at peace with several of the nations, and should the resentment of these people [the Kentuckians] fall upon any of them, which it is likely enough to happen, very bad consequences may follow. For it must appear to them [the Indians] that the United States either pay no regard to their treaties, or that they are unable or unwilling to carry their engagements into effect. * * * They will unite with the hostile nations, prudently preferring open war to a delusive and uncertain peace."

1789. September 29th, the president of the United States was authorized by an act of Congress to call forth the militia of the states respectively, for the protection of the frontiers against the incursions of hostile Indians.

1789. North Bend, on the Ohio river, was laid out by John Cleves Symmes, who soon afterwards laid out a place called South Bend, at a point on the Ohio river, about seven miles above North Bend.

1789. November 17th, General Samuel Holden Parsons, one

of the judges of the general court of the territory of the United States northwest of the Ohio river, was drowned in Big Beaver in attempting with one man to pass down that stream in a canoe. [Pennsylvania Historical Society Collections, vi. 73.]

1789. June 1st, Major John Doughty, with about one hundred and forty-five regular soldiers, arrived at the site of Cincinnati, and soon afterward commenced the work of building Fort Washington at that place.

1789. A letter dated, "Miamis, opposite Licking, August 27, 1789," says: "Major Doughty, with a strong detachment, is erecting a garrison at this place. General Harmar is expected to move here in a few weeks." [Pennsylvania Journal of November 25, 1789.]

1789. There was a failure of the corn crop among the settlers about Vincennes.

1789. The following documents (translated from the original manuscript orders) will enable the reader to form an opinion of the manner in which the municipal affairs of Post Vincennes were regulated and controlled while Major Hamtramck acted as commandant of that place:

"RESOLUTION OF THE INHABITANTS OF POST VINCENNES.

"We, the undersigned inhabitants of Post Vincennes (having for some time past noticed the conduct of many of our neighbors, who, to the prejudice of the public good, appropriate to themselves quantities of land on the commons, not as homes for their families, according to the spirit and meaning of the law regulating grants, but for the purpose of carrying on an improper traffic with persons who are not permanent citizens), are of the opinion that all persons should be prohibited from cultivating any lot or piece of ground in our commons, until permission to that effect be received from the general government, and that, in the meantime, the privilege be granted to each family to take and occupy, for their own use, a lot fifty yards square.

"Made, concluded, and signed with our ordinary marks, at a meeting held on Sunday, the 10th day of May, 1789.

"[Signed]	Jean Bapt. Miliet,	Dubois,
	Pierre La Forest,	Jos. Binette,
	Alexander Vallee,	Medard Bailliarjon,
	Pierre Queret,	Chine,
	Pierre Cournoyer,	Joseph Chartier,
	Francois Brouillette,	Pierre Cartier,
	Francois Trudelle,	Jacques Cardinal,
	Amable Quarquijus,	Charles Boneau,
	Joseph Poirier,	Joseph Vaudry,
	Francois Baril,	Louis Boyer.

"Drawn up, according to the intentions of the signers, by us
[‘pars nous’]. ANTOINE GAMELIN, Notary and Register."

"FORT KNOX, May 10, 1789.

"In consequence of a request presented to me, all persons are expressly prohibited (under the penalty of a fine for the first trespass, and imprisonment for the second) from cultivating any lot or piece of ground on the commons, or occupying any part thereof, without regular permission.

J. F. HAMTRAMCK,

"Major 1st U. S. Reg't and Com'd't."

"ORDINANCE.

"Many persons having sold their goods and lands, to the prejudice of their creditors, the inhabitants and others of the district of Post Vincennes are expressly prohibited, henceforth, from selling or exchanging or mortgaging any part of their goods, lands or slaves, under any pretext, without express permission from the officer commanding at this place. This ordinance to remain in force until the arrival of his excellency, the governor.

"Given under my hand and seal, in Fort Knox, at Post Vincennes, the 24th day of March, 1790.

"J. F. HAMTRAMCK, Major Commandant."

1789. Bathsheba Rouse, daughter of John Rouse, was the first female school teacher in the territory of the United States north-west of the Ohio river. She began to teach in 1789 at Belpre, in

"Farmers' Castle," on the banks of the river Ohio, below the mouth of the Muskingum.

1789. Fenno's Gazette of the United States, printed at New York, on the 22d of July, 1789, says: "The settlement of the western territory is considered by many persons as an event inauspicious to the interests of those states situated upon the Atlantic.

* * * In proportion as we advance to empire our ideas will expand, and the period is fast approaching when those extensive regions will prove a boundless source of wealth to the Union."

1789. Two boys, Henry Johnson and James Johnson, were captured by Indians on the borders of the Ohio river, near the mouth of Short creek. The boys killed their captors while they were sleeping at night, and thus made their escape. [Pennsylvania Journal, December 9, 1789.]

1789. In April, 1789, some murders were committed by Indians at the mouth of Dunkard creek, a tributary of the Monongahela river.

1789. December 29th, General Josiah Harmer, with about three hundred regular troops, arrived at Fort Washington, at the site of Cincinnati.

1789. April 30th, Washington took the oath of office as president of the United States.

1790. Early in January, 1790, Governor St. Clair arrived at the settlement about Fort Washington. He induced the proprietors of the village to change its name of "Losantiville" for the name of Cincinnati. At this place the governor laid out the county of Hamilton, and appointed magistrates and other civil officers for the administration of the laws.

1790. In January, 1790, Governor St. Clair and Winthrop Sargent, secretary of the territory, proceeded to Kaskaskia to organize civil government in the Illinois country, and to carry into effect the resolutions of Congress relative to the lands and settlers about Kaskaskia and Vincennes.

1790. A letter dated, "Post Vincennes, March 19, 1790," writ-

ten by Major John F. Hamtramck, and addressed to Governor St. Clair, contained the following passage: "I have this day sent a boat to the falls [of the Ohio] for eight hundred bushels of corn, which I shall deliver to the people of the village, who are in a starving condition, so much so that, on the 16th instant, a woman, a boy of about thirteen, and a girl of about seven years of age, were drove to the woods by hunger, poisoned themselves by eating some wild roots, and have since died of it." [St. Clair Papers.]

Major Hamtramck had received instructions from Governor St. Clair to furnish the starving people of Vincennes with corn. The governor, in his instructions, said: "They must pay for what they can of it, but they must not be suffered to perish, and though I have no direct authority from the government for this purpose, I must take it upon myself."

1790. In the latter part of April, 1790, General Harmar, with about one hundred regular troops and about two hundred and thirty volunteers from Kentucky, under the command of General Charles Scott, marched from the vicinity of Limestone [Maysville] into the Indian country to punish some hostile tribes who inhabited the country lying about the mouth of the Scioto river. On this expedition four Indians were discovered, killed and scalped by a small detachment of the militia under General Scott. In a letter, dated, "June 9, 1790," and addressed to the secretary of war, General Harmar said: "At the solicitation of the inhabitants of Kentucky, I was induced to endeavor to break up a nest of vagabond Indians who had infested the river, and seemed to make it an object to establish themselves near the mouth of the Scioto in order to interrupt the navigation of the Ohio, and to plunder and murder the emigrants. I am sorry that my endeavors were unsuccessful, as the villains had retreated. Wolves might as well have been pursued. Every exertion in my power was made without effect. * * * On the first day's march, four moccasin tracks were discovered. General Scott detached a small party of horsemen, who fell in with the savages, killed them, and brought the four scalps into Limestone."

1790. At this period, the miserable condition of the French inhabitants about Kaskaskia and Cahokia was pathetically de-

scribed in a memorial, which was dated, "St. Clair County, June 9, 1790," addressed, "To His Excellency, Arthur St. Clair, Governor and Commander-in-chief of the Territory of the United States Northwest of the River Ohio," and signed by "P. Gibault, priest," and eighty-seven others. The following is an extract from the memorial:

"The memorial humbly sheweth that by an act of Congress of June 20, 1788, it was declared that the lands heretofore possessed by the said inhabitants should be surveyed at their expense, and that this clause appears to them neither necessary nor adapted to quiet the minds of the people. It does not appear necessary, because from the establishment of the colony to this day, they have enjoyed their property and possessions without disputes or lawsuits on the subject of their limits; that the surveys of them were made at the time the concessions were obtained from their ancient kings, lords and commandants, and that each of them knew what belonged to him without attempting an encroachment on his neighbor, or fearing that his neighbor would encroach on him. It does not appear adapted to pacify them, because, instead of assuring to them the peaceable possession of their ancient inheritances, as they have enjoyed it till now, that clause obliges them to bear expenses which, in their present situation, they are absolutely incapable of paying, and for the failure of which they must be deprived of their lands.

"Your excellency is an eye-witness of the poverty to which the inhabitants are reduced, and of the total want of provisions to subsist on. Not knowing where to find a morsel of bread to nourish their families, by what means can they support the expense of a survey which has not been sought for on their parts, and for which it is conceived by them there is no necessity? Loaded with misery, and groaning under the weight of misfortunes, accumulated since the Virginia troops entered their country, the unhappy inhabitants throw themselves under the protection of your excellency, and take the liberty to solicit you to lay their deplorable situation before Congress, and as it may be interesting for the United States to know exactly the extent and limits of their ancient possessions, in order to ascertain the lands which are yet at the disposal of Congress, it appears to them, in their humble opinion, that the expense

of the survey ought more properly to be borne by Congress, for whom alone it is useful, than by them who do not feel the necessity of it. Beside, this is no object for the United States, but it is great, too great, for a few unhappy beings, who, your excellency sees yourself, are scarcely able to support their pitiful existence."

1790. Speeches sent to the Wabash Indians by Major Hamtramck, who was in command at Vincennes.

1790. On the 30th of September, 1790, General Harmar commenced his march from Fort Washington at Cincinnati, to destroy the Indian villages which stood at the head of the Maumee river, at the present site of Fort Wayne, Indiana. His force consisted of about one thousand four hundred and fifty-three men, comprising three hundred and twenty regular troops, three battalions of Kentucky militia, one battalion of Pennsylvania militia, and one small battalion of light troops or mounted militia. When the advanced detachment, under the command of Colonel Hardin, reached the Miami village, in the afternoon of the 15th of October, the Indians had deserted the place, leaving behind them some cows and large quantities of corn and vegetables, and the militia, in parties of thirty or forty, regardless of discipline, strolled about in search of plunder.

Soon after the arrival of the main body of the army at the Miami village, Major McMullen and others reported to General Harmar that the tracks of women and children had been discovered on an Indian path leading from the village a northwest course toward the Kickapoo towns. The general, supposing that the Indians with their families and baggage had encamped at some point not far from the Miami village, determined to make an effort to discover the place of their encampment, and to bring them to a battle. Accordingly he detached Colonel Trotter, Major Hall, Major Ray and Major McMullen, with a force amounting to three hundred men, and composed of thirty regular troops, forty of Major Fontaine's light horse, and two hundred and thirty active riflemen. The detachment was furnished with three days' provision, and ordered to examine the country around the Miami village. After these troops, under the command of Colonel Trotter, had moved about one mile from the encampment, the light horsemen discov-

ered, pursued and killed an Indian on horseback. Before this party returned to the columns, a second Indian was discovered, when the four field-officers left their commands, and pursued the Indian, leaving the troops for the space of about half an hour without any directions whatever. The flight of the second Indian was intercepted by the light horsemen, who dispatched him after he had wounded one of their party. Colonel Trotter then changed the route of his detachment, and marched in various directions until night, when he returned to the camp at the Miami village. On the 18th the following general orders were published :

“CAMP AT THE MIAMI VILLAGE, October 18, 1790.

“The general is much mortified at the unsoldier-like behavior of many of the men in the army, who make it a practice to straggle from the camp in search of plunder. He, in the most positive terms, forbids this practice in future, and the guards will be answerable to prevent it. No party is to go beyond the line of sentinels without a commissioned officer, who, if of the militia, will apply to Colonel Hardin for his orders. The regular troops will apply to the general. All the plunder that may be hereafter collected will be equally distributed among the army. The kettles and every other article already taken, are to be collected by the commanding officers of battalions, and to be delivered to-morrow morning to Mr. Belli, the quartermaster, that a fair distribution may take place. The rolls are to be called at troop and retreat beating, and every man absent is to be reported. The general expects that these orders will be pointedly attended to ; they are to be read to the troops this evening. The army is to march to-morrow morning early for their new encampment at Chillicothe, about two miles from hence.

“JOSIAH HARMAR, Brigadier-General.”

The return of Colonel Trotter to camp, on the evening of the 18th, was unexpected by General Harmar, and did not receive his approbation. Colonel Hardin asked for the command of the same detachment for the remaining two days, and his request was granted. On the morning of the 19th, the detachment, under the command of Colonel Hardin, marched a northwest course on the Indian path

which led toward the Kickapoo towns, and after passing a morass about five miles distant from the Miami village, the troops came to a place where, on the preceding day, a party of Indians had encamped. At this spot the detachment made a short halt, and the commanding officer stationed the companies at points several rods apart. After the lapse of about half an hour, the companies in front were ordered to move on, and Captain Faulkner's company was left on the ground, the colonel having neglected to give him orders to march. The troops moved forward about three miles, when they discovered two Indians on foot, who threw off their packs, and, the brush being thick, made their escape.

About this time, Colonel Hardin dispatched Major Fontaine, with part of the cavalry, in search of Captain Faulkner, supposing him to be lost, and soon afterward Captain Armstrong, who commanded the regulars, informed Colonel Hardin that a gun had been fired in front, which might be considered as an alarm gun, and that he had seen the "tracks of a horse that had come down the road and returned." The colonel, however, moved on without giving any orders, or making any arrangements for an attack, and when Captain Armstrong discovered the fires of the Indians at a distance, and informed Colonel Hardin of the circumstance, that officer, saying that the Indians would not fight, rode in front of the advanced columns until the detachment was fired on from behind the fires. The militia, with the exception of nine who remained with the regulars and were killed, immediately gave way and commenced an irregular retreat, which they continued until they reached the main army. Hardin, who retreated with them, made several ineffectual attempts to rally them. The small band of regulars, obstinately brave, maintained their ground until twenty-two were killed, when Captain Armstrong, Ensign Hartshorne, and five or six privates, escaped from the carnage, eluded the pursuit of the Indians, and arrived at the camp of General Harmar. The number of Indians who were engaged on this occasion can not be ascertained.* They were commanded by a distinguished Miami chief, whose name was

*Captain Armstrong, under oath, estimated the number at one hundred men. Colonel Hardin, in a deposition which he made in 1791, estimated the number at about one hundred and fifty men. Some writers, on questionable authority, have estimated the number of Indians at seven hundred.

Mish-e-ken-o-quoh, which signifies the Little Turtle. The ground on which the action took place lies about eleven miles from Fort Wayne, and near the point at which the Goshen state road crosses Eel river.

Captain Armstrong, in his journal, says: "On the 19th, Col. Hardin commanded in lieu of Col. Trotter. Attacked about one hundred Indians fifteen miles west of the Miami village; and from the dastardly conduct of the militia, the troops were obliged to retreat. I lost one sergeant, and twenty-one out of thirty men of my command. The Indians, on this occasion, gained a complete victory—having killed, in the whole, near one hundred men, which was about their number. Many of the militia threw away their arms without firing a shot, ran through the federal troops and threw them in disorder. Many of the Indians must have been killed, as I saw my men bayonet many of them. They fought and died hard."

On the morning of the 19th, the main body of the army, under Harmar, having destroyed the Miami village, moved about two miles to a Shawanee village, which was called Chillicothe, where on the 20th, the general published the following orders:

"CAMP AT CHILLICOTHE, one of the Shawanee towns, }
on the Ome [Maumee] river, Oct. 20, 1790. }

"The party under command of Captain Strong is ordered to burn and destroy every house and wigwam in this village, together with all the corn, etc., which he can collect. A party of one hundred men (militia), properly officered, under the command of Colonel Hardin, is to burn and destroy, effectually, this afternoon, the Pickaway town (a Shawanee village), with all the corn, etc., which he can find in it and its vicinity.

"The cause of the detachment being worsted yesterday was entirely owing to the shameful, cowardly conduct of the militia, who ran away, and threw down their arms, without firing scarcely a single gun. In returning to Fort Washington, if any officer or men shall presume to quit the ranks, or not to march in the form that they are ordered, the general will most assuredly order the artillery to fire on them. He hopes the check they received yesterday will make them in future obedient to orders.

"JOSIAH HARMAR, Brigadier General."

At ten o'clock A. M., on the 21st, the army moved from the ruins of the Chillicothe village, marched about seven miles on the route to Fort Washington, and encamped. The night being very clear, Colonel Hardin informed General Harmar that he thought it would be a good opportunity to steal a march on the Indians, as he had reason to believe that they had returned to the towns as soon as the army had left them. Harmar did not seem to be willing to send a party back; but Hardin "urged the matter, informing the general that, as he had been unfortunate the other day, he wished to have it in his power to pick the militia and try it again; and at the same time endeavored to account for the men's not fighting; and desired an opportunity to retrieve the credit of the militia."*

In order to satisfy the request of Hardin, and give the Indians a check, and thus prevent their harassing the army on its return to Fort Washington, General Harmar determined to send back a detachment of four hundred men. Accordingly, late on the night of the 21st, a corps of three hundred and forty militia, and sixty regular troops under the command of Major Wyllys, were detached, that they might gain the vicinity of the Miami village before day-break, and surprise any Indians who might be found there. The detachments marched in three columns. The regular troops were in the center, at the head of which Captain Joseph Ashton was posted, with Major Wyllys and Colonel Hardin in his front. The militia formed the columns to the right and left. Owing to some delay, occasioned by the halting of the militia, the detachment did not reach the banks of the Maumee until some time after sunrise. The spies then discovered some Indians and reported to Major Wyllys, who halted the regular troops, and moved the militia on some distance in front, where he gave his orders and plan of attack to the several commanding officers of the corps. Major Wyllys reserved to himself the command of the regular troops. Major Hall, with his battalion, was directed to take a circuitous route round the bend of the Maumee river, cross the St. Mary's, and there, in the rear of the Indians, wait until the attack should be brought on by Major McMullen's battalion, Major Fontaine's cav-

*Deposition of Colonel Hardin, taken 14th September, 1791.

alry, and the regular troops under Major Wyllys, who were all ordered to cross the Maumee at and near the common fording place.

It was the intention of Hardin and Wyllys to surround the Indian encampment; but Major Hall, who had gained his position undiscovered, disobeyed his orders by firing on a single Indian, before the commencement of the action. Several small parties of Indians were soon seen flying in different directions, and the militia under McMullen, and the cavalry under Fontaine, pursued them in disobedience of orders, and left Major Wyllys unsupported. The consequence was, that the regulars, after crossing the Maumee, were attacked by a superior force of Indians, and compelled to retreat, with the loss of Major Wyllys and the greater part of their corps. Major Fontaine, at the head of the mounted militia, fell, with a number of his followers, in making a charge against a small party of Indians; and, on his fall, the remainder of his troops dispersed. While the main body of the Indians, led by the Little Turtle, were engaged with the regulars near the banks of the Maumee, some skirmishing took place near the confluence of the rivers St. Mary's and St. Joseph, between detached parties of Indians and the militia under Hall and McMullen. After the defeat of the regulars the militia retreated on the route to the main army; and the Indians, having suffered a severe loss, did not pursue them. About eleven o'clock A. M., a single horseman reached the camp of Harmar, with news of the defeat of the detachment. The general then immediately ordered Major Ray to march with his battalion to the assistance of the retreating parties; but so great was the panic which prevailed among the militia that only thirty men could be induced to leave the main army. With this small number Major Ray proceeded a short distance toward the scene of action, when he met Colonel Hardin on his retreat.

On reaching the encampment of Harmar, Colonel Hardin requested the general to march back to the Miami village with the whole army; but Harmar said to him: "You see the situation of the army; we are now scarcely able to move our baggage; it will take up three days to go and return to this place; we have no more forage for our horses; the Indians have got a very good

scourging; and I will keep the army in perfect readiness to receive them, should they think proper to follow.”* The general, at this time, had lost all confidence in the militia. The bounds of the camp were made less, and, at eight o'clock on the morning of the 23d, the army took up the line of march for Fort Washington, and reached that place on the 4th of November, having lost, in the expedition, one hundred and eighty-three killed and thirty-one wounded. Among the killed were Major Wylls and Lieutenant Ebenezer Frothingham, of the regular troops; and Major Fontaine, Captains Thorp, McMurtrey and Scott, Lieutenants Clark and Rogers, and Ensigns Bridges, Sweet, Higgins, and Thielkeld, of the militia. The Indians, whose loss was about equal to that of the whites, did not annoy the army after the action of the 22d of October. During this expedition, the Kentuckians expressed the opinion that regular soldiers were unfit for Indian warfare.

1790. In June, 1790, Governor St. Clair charged the secretary of the territory, Winthrop Sargent, with the duty of carrying into effect the resolutions of congress relative to the lands and settlers on the river Wabash, and directed that officer to proceed to Post Vincennes, lay out a county, organize the militia, and appoint the necessary civil and military officers.

Mr. Sargent, upon whom the duties of governor thus devolved, proceeded immediately from Kaskaskia to Post Vincennes, where he laid out the county of Knox, appointed various civil and military officers, organized the militia, notified the inhabitants to present their claims to lands, and carried the resolutions of Congress into effect as to all the claims to which those resolutions could be clearly applied. “Although,” says Mr. Sargent, in a report which he made to President Washington, on the 31st of July, 1790, “the lands and lots which were awarded to the inhabitants appeared, from very good oral testimony, to belong to those persons to whom they were awarded, either by original grants, purchase or inheritance, yet there was scarcely one case in twenty where the title was complete, owing to the desultory manner in which public business had been transacted and some other unfortunate causes. The original concessions by the French and British commandants were

*Deposition of Colonel Hardin, September 14, 1791.

generally made upon a small scrap of paper, which it has been customary to lodge in the notary's office, who has seldom kept any book of record, but committed the most important land concerns to loose sheets, which, in process of time, have come into possession of persons that have fraudulently destroyed them, or, unacquainted with their consequence, innocently lost or trifled them away; for, by the French usage, they are considered as family inheritances, and often descend to women and children. In one instance, and during the government of Mr. St. Ange here, a royal notary ran off with all the public papers in his possession, as by a certificate produced to me. And I am very sorry further to observe that in the office of Mr. Le Grand, which continued from the year 1777 to 1787, and where should have been the vouchers for important land transactions, the records have been so falsified, and there is such gross fraud and forgery as to invalidate all evidence and information which I might otherwise have acquired from his papers."

While the acting governor was taking measures to confirm the ancient settlers in their possessions and rights, he received a petition signed by eighty Americans, praying for the confirmation of various grants of land which had been made by the court of Post Vincennes between the years 1779 and 1787. The French inhabitants also laid before Mr. Sargent a petition on the same subject, and when that officer requested some of the magistrates of the court of Post Vincennes to give him their reasons for having assumed the power to dispose of lands, he received the following answer:

"POST VINCENNES, July 3, 1790.

"To the Honorable Winthrop Sargent, Esquire, Secretary in and for the Territory of the United States Northwest of the River Ohio, and vested with all the powers of Governor and Commander-in-Chief:

"Sir: As you have given verbal orders to the magistrates who formerly composed the court of the district of Post Vincennes, under the jurisdiction of the state of Virginia, to give you their reasons for having taken upon them to grant concessions for the lands within the district, in obedience thereto, we beg leave to inform you that their principal reason is, that since the establishment of this country, the commandants have always appeared to be vested with the power to give lands. Their founder, Mr. Vincennes, began to give concessions, and all his successors have given lands and

lots. Mr. Le Gras was appointed commandant of Post Vincennes by the lieutenant of the county, John Todd, who was, in the year 1779, sent by the state of Virginia for to regulate the government of the country, and who substituted Mr. Le Gras with his power. In his absence, Mr. Le Gras, who was then commandant, assumed that he had, in quality of commandant, authority to give lands according to the ancient usages of other commandants, and he verbally informed the court of Post Vincennes, that when they would judge it proper to give lands or lots to those who should come into the country to settle, or otherwise, they might do it, and that he gave them permission so to do. These are the reasons that we acted upon, and if we have done more than we ought, it was on account of the little knowledge which we had of public affairs.

"F. BOSSERON.

"L. EDELINE.

"PIERRE GAMELIN.

HIS

"PIERRE X QUEREZ."

MARK.

1790. Early in the fall of 1790 Major Hamtramck, with a small force, marched up the Wabash as far as the river Vermillion, destroyed some deserted Indian villages, and returned to his post at Vincennes. At this time it was believed that there were about two thousand Indian warriors on the borders of the Wabash and its tributaries.

1790. It was estimated by Judge Innis, of Kentucky, that, from 1783 to 1790, inclusive, about fifteen hundred white persons, including men, women and children, were either killed or carried into captivity by the Indians of the northwest. [Innis' Letter to the Secretary of War, in 1790.]

Colonel John Floyd, a distinguished pioneer settler in Kentucky, in describing the Indian mode of carrying on a war, said: "The Indians, in besieging a place, are seldom seen in force upon any quarter, but dispersed, and acting individually or in small parties. They conceal themselves in the bushes or weeds, or behind trees or stumps of trees, or waylay the paths, or fields, or other places where their enemies resort; and when one or more can be taken down, in their opinion, they fire the gun or let fly the arrow.

aimed at the mark. If necessary, they retreat. If they dare, they advance upon their killed or crippled adversary and take his scalp, or make him prisoner, if possible. They aim to cut off the garrison supplies by killing the cattle; and they watch the watering places for those who go for that article of primary necessity, that they may, by these means, reduce the place to their possession, or destroy its inhabitants in detail. * * * In the night they will place themselves near the fort gate, ready to sacrifice the first person who shall appear in the morning. * * * At other times they approach the walls or palisades with the utmost audacity and attempt to fire them or to beat down the gate. They often make feints to draw out the garrison on one side of the fort and, if practicable, enter it by surprise on the other. And when their stock of provision is exhausted, this being an individual affair, they supply themselves by hunting, and again frequently return to the siege, if by any means they hope to get a scalp. * * * Such was the enemy who infested Kentucky, and with whom the early adventurers had to contend. In combat they were brave; in defeat they were dexterous; in victory they were cruel."

The Rev. Dr. Doddridge, whose father was among the pioneer settlers of the west, as early as 1773, says: "My readers will understand by this term (the fort) not only a place of defense, but the residence of a small number of families belonging to the same neighborhood. As the Indian mode of warfare was an indiscriminate slaughter of all ages and both sexes, it was as requisite to provide for the safety of the women and children as for that of the men. The fort consisted of cabins, block-houses and stockades. A range of cabins commonly formed one side at least of the fort. Divisions, or partitions of logs, separated the cabins from each other. The walls on the outside were ten or twelve feet high, the slope of the roof being turned wholly inward. A very few of these cabins had puncheon floors; the greater part were earthen. The block-houses were built at the angles of the fort. They projected about two feet beyond the outer walls of the cabins and stockades. Their upper stories were about eighteen feet every way, larger in every way than the under one, leaving an opening at the commencement of the second story to prevent the enemy from making a lodgment under their walls. In some forts, instead

of block-houses, the angles of the fort were furnished with bastions. A large folding gate, made of thick slabs, nearest the spring, closed the fort. The stockades, bastions, cabins and block-house walls were furnished with port-holes at proper heights and distances. The whole of the outside was made completely bullet proof. It may be truly said that 'necessity is the mother of invention,' for the whole of this work was made without the aid of a single nail or spike of iron; and for this reason—such things were not to be had.

"In some places less exposed a single block-house, with a cabin or two, constituted the whole fort. * * * The families belonging to these forts were so attached to their own cabins on their farms that they seldom moved into the fort in the spring, until compelled by some alarm, as they called it—that is, when it was announced by some murder that the Indians were in the settlement."

1791. On the evening of January 2, 1791, at a settlement called Big Bottom, on the Muskingum river, about forty miles above Marietta, the Indians killed eleven men, one woman and two children. Soon after the time of these murders the directors of the "Ohio Company of Associates" voted to raise and pay troops, to be employed in the defense of their settlements.

1791. On the 8th of January, 1791, General Rufus Putnam, who was one of the "Ohio Company Associates," and the founder of the settlement at Marietta, wrote to President Washington as follows:

"MARIETTA, January 8, 1791.

"SIR:—The mischief which I feared has overtaken us much sooner than I expected. On the evening of the 2d instant, between sunset and daylight-in, the Indians surprised a new settlement of our people at a place on the Muskingum called Big Bottom, nearly forty miles up the river, in which disaster eleven men, one woman and two children were killed; three men are missing, and four others made their escape. Thus, sir, the war which was partial before the campaign of last year, is, in all probability, become general; for I think that there is no reason to suppose that we are the only people on whom the savages will wreak their ven-

geance, or that the number of hostile Indians have not increased since the late expedition. Our situation is truly critical. The governor and secretary both being absent, no assistance from Virginia or Pennsylvania can be had. The garrison at Fort Harmar, consisting at this time of little more than twenty men, can afford no protection to our settlements; and the whole number of men, in all our settlements, capable of bearing arms, including all civil and military officers, does not exceed two hundred and eighty-seven, and these, many of them, badly armed. We are in the utmost danger of being swallowed up should the enemy push the war with vigor during the winter. This, I believe, will fully appear by taking a short view of our several settlements, and, I hope, justify the extraordinary measures we have adopted for want of a legal authority in the territory to apply for aid in the business. The situation of our people is nearly as follows:

“At Marietta are about eighty houses in the distance of one mile, with scattering houses about three miles up the river. A set of mills at Duck Creek, four miles distant, and another mill two miles up the Muskingum. Twenty-two miles up this river is a settlement, consisting of about twenty families; about two miles from them, on Wolf creek, are five families and a set of mills. Down the Ohio, and opposite the Little Kanawha, commences the settlement called Belle Prairie, which extends down the river, with little interruption, about twelve miles, and contains between thirty and forty houses. Before the late disaster we had several other settlements, which are already broken up. I have taken the liberty to inclose the proceedings of the Ohio Company and justices of the sessions on this occasion, and beg leave, with the greatest deference, to observe that, unless government speedily send a body of troops for our protection, we are a ruined people. The removal of the women, children, etc., will reduce many of the poorer sort to the greatest straits; but if we add to this the destruction of their corn, forage and cattle by the enemy, which is very probable to ensue, I know of no way they can be supported; but, if this should not happen, where these people are to raise bread another year is not easy to conjecture; and most of them have nothing left to buy with. But my fears do not stop here. We are a people so far detached from all others, in point of situa-

tion, that we can hope for no timely relief, in case of emergency, from any of our neighbors; and among the numbers that compose our military strength almost one-half are young men, hired into the country, intending to settle by and by. These, under present circumstances, will probably leave us soon, unless prospects should brighten; and, as to new settlers, we can expect none in our present situation; so that, instead of increasing in strength, we are like to diminish daily; and, if we do not fall a prey to the savages, we shall be so reduced and discouraged as to give up the settlement, unless government shall give us timely protection. It has been a mystery to some why the troops have been withdrawn from this quarter, and collected at the Miami [Symmes' purchase]. That settlement is, I believe, within three or four days' march of a very populous part of Kentucky, whence, in a few days, they might be reinforced with several thousand men; whereas, we are not within two hundred miles of any settlement that can probably more than protect themselves. But I forbear suggestions of this sort, and will only observe further, that our present situation is truly distressing; and I do, therefore, most earnestly implore the protection of government for myself and friends inhabiting these wilds of America. To this we conceive ourselves justly entitled; and so far as you, sir, have the means in your power, we rest assured that we shall receive it in due time.

"I have the honor to be, with the highest possible respect, sir, your most obedient and most humble servant.

"RUFUS PUTNAM."

1791.—Extract from MSS. of Captain John Armstrong, of the United States Army written near St. Louis, 1791.

"The inhabitants of Paincourt (a village on the French side of the Mississippi) relate a story, which with them has gained much credit, of a cave on the river Merimack,* three days' march from Paincourt,† in which there is an altar, candlesticks, holy basin or fount, and all the other images. There is, also, it is said, in this place, a billiard table with the balls, etc., all of which are in a state of petrification. There are, also, many household utensils petrified.

*Maramec, a river of Missouri.

†St. Louis was called Paincourt, on account of the scarcity of [bread] provisions.

The cave is very large, and from the entrance thereof passing through a narrow passage takes the traveler several hours. In breaking the candles there is a hollow place in the center, supposed to be where the wick was. It is also said that if you empty the holy fount it fills again immediately."

1791. On the 23d of May, 1791, General Charles Scott, of Kentucky, with about eight hundred mounted men, crossed the Ohio at the mouth of Kentucky river, and commenced his march for Ouiatenon, on the Wabash river. In his official report to the secretary of war, General Scott says: "On the same day [June 4, 1791], after having burned the towns and adjacent villages, and destroyed the growing corn and pulse, I began my march for the rapids of the Ohio, where I arrived the 14th of June, without the loss of a single man by the enemy, and five only wounded; having killed thirty-two, chiefly warriors of size and figure, and taken fifty-eight prisoners."

When Brigadier-general Scott released sixteen weak and infirm prisoners at Ouiatenon, he gave them a written speech, of which the following is a copy:

"To the various tribes of the Piankeshaws, and all the nations of Red People, lying on the waters of the Wabash river:

"The sovereign council of the thirteen United States have long patiently borne your depredations against their settlements on this side of the great mountains in the hope that you would see your error, and correct it by entering with them into the bonds of amity and lasting peace. Moved by compassion, and pitying your misguided councils, they have frequently addressed you on this subject, but without effect. At length their patience is exhausted, and they have stretched forth the arm of power against you. Their mighty sons and chief warriors have at length taken up the hatchet; they have penetrated far into your country, to meet your warriors and punish them for their transgressions; but you fled before them and declined the battle, leaving your wives and children to their mercy. They have destroyed your old town, Ouiatenon, and the neighboring villages, and have taken many prisoners. Resting here two days to give you time to collect your strength, they have proceeded to your town of Keth-tip-e-ca-nunk;

but you again fled before them, and that great town has been destroyed. After giving you this evidence of their power, they have stopped their hands, because they are merciful as strong; and they again indulge the hope that you will come to a sense of your true interest, and determine to make a lasting peace with them, and all their children, forever.

"The United States have no desire to destroy the red people, although they have the power; but should you decline this invitation, and pursue your unprovoked hostilities, their strength will again be exerted against you. Your warriors will be slaughtered; your towns and villages ransacked and destroyed; your wives and children carried into captivity; and you may be assured that those who escape the fury of our mighty chiefs shall find no resting-place on this side the great lakes.

"The warriors of the United States wish not to distress or destroy women and children, or old men; and although policy obliges them to retain some in captivity, yet compassion and humanity have induced them to set others at liberty, who will deliver you this talk. Those who are carried off will be left in the care of our great chief and warrior, General St. Clair, near the mouth of the Miami, and opposite the Licking river, where they will be treated with humanity and tenderness. If you wish to recover them, repair to that place by the first day of July next, determined, with true hearts, to bury the hatchet and smoke the pipe of peace. They will then be restored to you; and you may again sit down in security at your old towns, and live in peace and happiness, unmolested by the children of the United States, who will become your friends and protectors, and will be ready to furnish you with all the necessaries you may require. But should you foolishly persist in your warfare, the sons of war will be let loose against you, and the hatchet will never be buried until your country is desolated, and your people humbled to the dust.

"Given under my hand and seal, at the Ouiatenon town, this 4th day of June, 1791.

"CHARLES SCOTT, Brigadier-General."

1791. On the first of August, 1791, General James Wilkinson, at the head of about five hundred and twenty-five men, well mounted, principally citizens of Kentucky, marched from the vicin-

ity of Fort Washington (Cincinnati), for the purpose of destroying the Indian village which stood on the right bank of Eel river, about six miles from the point where that stream enters the river Wabash, at the present site of Logansport. In an official report addressed to Governor St. Clair, General Wilkinson says: "The enemy were unable to make the smallest resistance. Six warriors and (in the hurry and confusion of the charge) two squaws and a child were killed, thirty-four prisoners were taken, and an unfortunate captive released, with the loss of two men killed and one wounded." Wilkinson destroyed the village "and cut down at least four hundred and thirty acres of corn."

1791. Vermont admitted into the Union March 4th.

1791. Early in the month of September, 1791, an army, under the command of Governor St. Clair, marched from Fort Washington into the Indian country, for the purpose of punishing the hostile tribes and establishing a military post at the Miami village that stood at the present site of Fort Wayne, Indiana.

On the 3d of November, the main army, consisting of about fourteen hundred effective men, moved forward to a point near which Fort Recovery was afterward erected. Here, on the head waters of the Wabash river, among a number of small creeks, the army encamped. The right wing of the army, commanded by Major-General Butler, and composed of the battalions under Majors Butler, Clarke and Patterson, lay in front of a creek about twelve yards wide, and formed the first line. The left wing, composed of the battalions under Bedinger and Gaither, and the second regiment under the command of Lieutenant-Colonel William Darke, formed the second line. Between the two lines there was a space of about seventy yards, which was all that the ground would allow. The right flank was supposed to be protected by the creek, and the left was covered by a steep bank, a corps of cavalry, and some pickets. The militia marched over the creek, and encamped in two lines, about a quarter of a mile in advance of the main army. There was snow on the ground, and two rows of fires were made between Butler's and Darke's lines, and also two rows between the lines of the militia. While the militia were crossing the creek, a

few Indians were seen hovering about the army, but they fled precipitately as soon as they were discovered.

At this time, the Little Turtle, Blue Jacket, Buck-ong-a-helas and other Indian chiefs of less distinction, were lying a few miles distant from St. Clair's army, with about twelve hundred warriors, awaiting a favorable moment to begin an attack. Simon Girty and some other white men were with the Indians.

In a letter dated, "Fort Washington, November 9, 1791," and addressed to the secretary of war, Governor St. Clair said: "At this place [the ground on which the army was encamped on the evening of the 3d of November], which I judged to be about fifteen miles from the Miami village, I determined to throw up a slight work, the plan of which was concerted that evening with Major Ferguson, wherein to have deposited the men's knapsacks, and every thing else that was not of absolute necessity, and to have moved on to attack the enemy as soon as the first regiment was come up. But they did not permit me to execute either, for, on the 4th, about half an hour before sunrise, and when the men had been just dismissed from parade (for it was a constant practice to have them all under arms a considerable time before daylight), an attack was made upon the militia. Those gave way in a very little time and rushed into camp through Major Butler's battalion (which, together with a part of Clarke's, they threw into considerable disorder, and which, notwithstanding the exertions of both those officers, was never altogether remedied), the Indians following close at their heels. The fire, however, of the front line checked them, but almost instantly a very heavy attack began upon that line, and in a few minutes it was extended to the second likewise. The great weight of it was directed against the center of each, where the artillery was placed, and from which the men were repeatedly driven with great slaughter.

"Finding no great effect from our fire, and confusion beginning to spread from the great number of men who were falling in all quarters, it became necessary to try what could be done by the bayonet. Lieutenant-Colonel Darke was accordingly ordered to make a charge with part of the second line, and to turn the left flank of the enemy. This was executed with great spirit. The Indians instantly gave way, and were driven back three or four

hundred yards; but for want of a sufficient number of riflemen to pursue this advantage, they soon returned, and the troops were obliged to give back in their turn. At this moment they had entered our camp by the left flank, having pushed back the troops that were posted there. Another charge was made here by the second regiment, Butler's and Clarke's battalions, with equal effect, and it was repeated several times and always with success; but in all of them many men were lost, and particularly the officers, which, with so raw troops, was a loss altogether irremediable. In that I just spoke of, made by the second regiment and Butler's battalion, Major Butler was dangerously wounded, and every officer of the second regiment fell except three, one of which, Mr. Greaton, was shot through the body.

"Our artillery being now silenced, and all the officers killed except Captain Ford, who was very badly wounded, and more than half of the army fallen, being cut off from the road, it became necessary to attempt the regaining of it, and to make a retreat, if possible. To this purpose the remains of the army was formed, as well as circumstances would admit, toward the right of the encampment, from which, by way of the second line, another charge was made upon the enemy, as if with the design to turn their right flank, but in fact to gain the road. This was effected, and as soon as it was open the militia took along it, followed by the troops; Major Clarke, with his battalion, covering the rear.

"The retreat, in those circumstances, was, you may be sure, a very precipitate one. It was, in fact, a flight. The camp and the artillery were abandoned, but that was unavoidable; for not a horse was left alive to have drawn it off, had it otherwise been practicable. But, the most disgraceful part of the business is, that the greatest part of the men threw away their arms and accouterments, even after the pursuit, which continued about four miles, had ceased. I found the road strewed with them for many miles, but was not able to remedy it; for, having had all my horses killed, and being mounted upon one that could not be pricked out of a walk, I could not get forward myself; and the orders I sent forward either to halt the front, or to prevent the men from parting with their arms, were unattended to. The rout continued quite

to Fort Jefferson, twenty-nine miles, which was reached a little after sunset.

“The action began about half an hour before sunrise, and the retreat was attempted at half an hour after nine o’clock. I have not yet been able to get returns of the killed and wounded; but Major-General Butler, Lieutenant-Colonel Oldham, of the militia, Major Ferguson, Major Hart and Major Clarke, are among the former; Colonel Sargent, my adjutant-general, Lieutenant-Colonel Darke, Lieutenant-colonel Gibson, Major Butler, and the Viscount Malartie, who served me as an aid-de-camp, are among the latter; and a great number of captains and subalterns in both.

“I have now, sir, finished my melancholy tale—a tale that will be felt sensibly by every one that has sympathy for private distress or for public misfortune. I have nothing, sir, to lay to the charge of the troops but their want of discipline, which, from the short time they had been in service, it was impossible they should have acquired, and which rendered it very difficult, when they were thrown into confusion, to reduce them again to order, and is one reason why the loss has fallen so heavy on the officers, who did everything in their power to effect it. Neither were my own exertions wanting; but, worn down with illness, and suffering under a painful disease, unable either to mount or dismount a horse without assistance, they were not so great as they otherwise would, and perhaps ought to have been. We were overpowered by numbers; but it is no more than justice to observe that, though composed of so many different species of troops, the utmost harmony prevailed through the whole army during the campaign. At Fort Jefferson I found the first regiment, which had returned from the service they had been sent upon, without either overtaking the deserters, or meeting the convoy of provisions. I am not certain, sir, whether I ought to consider the absence of this regiment from the field of action as fortunate, or otherwise. I incline to think it was fortunate; for, I very much doubt whether had it been in the action, the fortune of the day had been turned; and, if it had not, the triumph of the enemy would have been more complete, and the country would have been destitute of every means of defense.

“Taking a view of the situation of our broken troops at Fort Jefferson, and that there was no provision in the fort, I called upon

the field-officers, viz: Lieutenant-Colonel Darke, Major Hamtramck, Major Zeigler and Major Gaither, together with the adjutant-general [Winthrop Sargent], for their advice what would be proper further to be done, and it was their unanimous opinion, that the addition of the first regiment, unbroken as it was, did not put the army on so respectable a foot as it was in the morning, because a great part of it was now unarmed; that it had been found unequal to the enemy, and should they come on, which was possible, would be found so again; that the troops could not be thrown into the fort, both because it was too small and that there were no provisions in it; that provisions were known to be upon the road, at the distance of one or at most two marches; that, therefore, it would be proper to move, without loss of time, to meet the provisions, when the men might have the sooner an opportunity of some refreshment, and that a proper detachment might be sent back with it to have it safely deposited in the fort. This advice was accepted and the army was put in motion at ten o'clock, and marched all night and the succeeding day met with a quantity of flour. Part of it was distributed immediately, part taken back to supply the army on the march to Fort Hamilton, and the remainder, about fifty horse loads, sent forward to Fort Jefferson. The next day, a drove of cattle was met with for the same place, and I have information that both got in. The wounded who had been left at that place were ordered to be brought to Fort Washington by the return horses.

"I have said, sir, in a former part of this letter, that we were overpowered by numbers. Of that, however, I have no other evidence but the weight of the fire, which was always a most deadly one, and generally delivered from the ground—few of the enemy showing themselves afoot, except when they were charged; and that, in a few minutes our whole camp, which extended above three hundred and fifty yards in length, was entirely surrounded and attacked on all quarters. The loss, sir, the public has sustained by the fall of so many officers, particularly General Butler and Major Ferguson, can not be too much regretted; but it is a circumstance that will alleviate the misfortune in some measure, that all of them fell most gallantly doing their duty. I have had very particular obligations to many of them, as well as to the survivors, but to

none more than to Colonel Sargent. He has discharged the various duties of his office with zeal, with exactness, and with intelligence; and, on all occasions, afforded me every assistance in his power, which I have also experienced from my aid-de-camp, Lieutenant Denny, and the Viscount Malartie, who served with me in the station as a volunteer."

In the disastrous action of the 4th of November, 1791, St. Clair lost thirty-nine officers killed and five hundred and ninety-three men killed and missing. Twenty-two officers and two hundred and forty-two men were wounded. The officers killed were: Major-General Richard Butler, Lieutenant-Colonel Oldham, of the Kentucky militia; Majors Ferguson, Clarke and Hart; Captains Bradford, Phelon, Kirkwood, Price, VanSwearingen, Tipton, Smith, Purdy, Piatt, Guthrie, Cribbs and Newman; Lieutenants Spear, Warren, Boyd, McMath, Read, Burgess, Kelso, Little, Hopper and Lickens; Ensigns Balch, Cobb, Chase, Turner, Wilson, Brooks, Beatty and Purdy; Quartermasters Reynolds and Ward; Adjutant Anderson; and Doctor Grasson. The officers wounded were: Lieutenant-Colonels Gibson, Darke and Sargent (adjutant-general); Major Butler; Captains Doyle, Trueman, Ford, Buchanan, Darke and Hough; Lieutenants Greateon, Davidson, De Butts, Price, Morgan, McCrea, Lysle and Thompson; Ensign Bines; Adjutants Whisler and Crawford; and the Viscount Malartie, volunteer aid-de-camp to the commander-in-chief. Several pieces of artillery, and all the baggage, ammunition and provisions were left on the field of battle, and fell into the hands of the Indians. The stores and other public property, lost in the action, were valued at thirty-two thousand eight hundred and ten dollars and seventy-five cents.* The loss of the Miamis and their confederates has never been satisfactorily ascertained; but it did not, probably, exceed one hundred and fifty in killed and wounded.

With the army of St. Clair, following the fortunes of their husbands, there were more than one hundred women.† Very few escaped the carnage of the 4th of November, and after the flight

*Report of Secretary of War, December 11, 1792.

†Atwater, in his History of Ohio, says "there were about two hundred and fifty women."

of the remnant of the army, the Indians began to avenge their own real and imaginary wrongs by perpetrating the most horrible acts of cruelty and brutality upon the bodies of the living and dead Americans who fell into their hands. Believing that the whites, for many years, made war merely to acquire land, the Indians crammed clay and sand into the eyes and down the throats of the dying and the dead. The field of action was visited by Brigadier-General James Wilkinson, at the head of a small detachment of mounted militia, on the 1st of February, 1792, about three months after the battle. In a letter, dated "Fort Washington, 13th February, 1792," written by Captain Robert Buntin, and addressed to Governor St. Clair, this expedition is noticed as follows:

"I went with General Wilkinson to the field of action to recover the artillery carriages, which he was informed remained there, and to bury the dead. His little army for this excursion was composed of about one hundred and fifty regulars, and one hundred and thirty one volunteer militia on horseback. He has a good talent for pleasing the people; there is no person in whom they have more confidence; none more capable to lead them on. It appears as if he made the Indian mode of warfare his study since he first came to this country. I think him highly worthy your friendship, from his attachment to your person and interest.

"The regulars left Fort Washington as an escort to provisions for Fort Jefferson, on the 24th ultimo—the snow about ten inches deep—and we marched next morning with the volunteers. The sledges which transported the forage delayed us so much that we did not get to Fort Jefferson until the 30th, about twelve o'clock. The general was much longer in getting to this place than he expected; and in order to expedite the business and avoid expense he ordered the regulars to return to Fort Washington. This morning [30th], the wind from the southward, with a constant fall of snow, rain and hail, and a frost the following night, made the breaking of the road very difficult; though the front was changed every fifteen or twenty minutes, the road was marked with the horses' blood from the hardness of the crust on the snow. We left Fort Jefferson about nine o'clock on the 31st, with the volunteers, and arrived within eight miles of the field of battle that evening, and next day we arrived at the ground about ten o'clock. The

scene was truly melancholy. In my opinion those unfortunate men who fell into the enemy's hands, with life, were used with the greatest torture—having their limbs torn off; and the women have been treated with the most indecent cruelty, having stakes as thick as a person's arm driven through their bodies."

1791. The name of the author of the following verses is unknown, but tradition says that they were often sung by surviving soldiers of St. Clair's army:

ST. CLAIR'S DEFEAT.

BY A SOLDIER OF CAPTAIN BRADFORD'S COMPANY.

'Twas November the fourth, in the year of ninety-one,
We had a sore engagement near to Fort Jefferson.
St. Clair was our commander, which may remembered be,
For there we left nine hundred men in t' western ter'tory.

At Bunker's Hill and Quebec, where many a hero fell,
Likewise at Long Island (it is I the truth can tell),
But such a dreadful carnage may I never see again,
As hap'ned near St. Mary's, upon the river plain.

Our army was attacked just as the day did dawn,
And soon were overpowered and driven from the lawn;
They killed Major Oldham, Levin, and Briggs likewise—
And horrid yells of sav'ges resounded thro' the skies.

Major Butler was wounded the very second fire,
His manly bosom swelled with rage when forced to retire;
And as he lay in anguish, nor scarcely could he see,
Exclaimed, "Ye hounds of Hell! O revenged I will be!"

We had not been long broken when General Butler found
Himself so badly wounded, was forced to quit the ground.
"My God," says he, "what shall we do; we're wounded every man;
So charge them, valiant heroes, and beat them if you can."

He leaned his back against a tree and there resigned his breath,
And like a valiant soldier sunk in the arms of death;
When blessed angels did await his spirit to convey;
And unto the celestial fields he quickly went his way.

We charged again with courage fierce, but soon again gave ground
The war-whoop then redoubled as did the foes around;
They killed Major Ferguson which caused his men to cry,
"Our only safety is in flight, or fighting here, to die."

"Stand to your guns," says valiant Ford; "let 's die upon them here,
Before we let these sav'ges know we ever harbored fear."
Our cannon ball exhausted, and artill'ry men all slain;
Obliged were our musketmen the enemy to sustain.

Yet three hours more we fought them, and then were forced to yield,
When three hundred bloody warriors lay stretched upon the field.
Says Colonel Gibson to his men, "My boys, be not dismayed;
I'm sure that true Virginians were never yet afraid.

"Ten thousand deaths I'd rather die than they should gain the field."
With that he got a fatal shot which caused him to yield.
Says Major Clarke, "My heroes, I can here no longer stand—
We'll strive to form in order and retreat the best we can."

The word *Retreat* being passed around, there was a dismal cry,
Then helter-skelter thro' the woods, like wolves and sheep they fly—
This well-appointed army, who but a day before,
Defied and braved all danger, had like a cloud passed o'er.

Alas! the dying and wounded, how dreadful was the thought,
To the tomahawk and scalping-knife in misery are brought.
Some had a thigh, and some an arm, broke on the field that day,
Who writhed in torment at the stake, to close the dread affray.

To mention our brave officers is what I wish to do;
No sons of Mars e'er fought more brave, or with more courage true.
To Captain Bradford I belonged, in his artillery—
He fell that day among the slain—a valiant man was he.

1791. In September, 1791, Fort Hamilton was built on the bank of the Great Miami river, at the site of the present town of Hamilton.

1791. Bank of the United States incorporated, February 25.

1791. In October, 1791, Fort Jefferson was built on a site which lies about six miles south of the present town of Greenville, in Darke county, Ohio, in latitude forty degrees, four minutes, twenty-two seconds north.

1791. A law passed in the territory of the United States northwest of the Ohio river, declares that "whenever persons enrolled in the militia of this territory shall assemble at any place for public worship, every such person shall arm and equip himself according to law, in the same manner as if he were marching to engage the enemy."

1791. In March, 1791, General Nathaniel Massie laid out the town of Manchester, on the right bank of the river Ohio, about twelve miles above the present town of Maysville, Kentucky.

1792. April 7, General St. Clair resigned his military office, and General Anthony Wayne, a native of Chester county, Pennsylvania, was appointed to succeed him. In the early part of June, Wayne arrived at Pittsburg, which was the place appointed for the rendezvous of new recruits for the army.

1792. From the early part of the year 1792 to the 16th of August, 1793, while Wayne was recruiting and organizing his army, the government of the United States continued to make efforts to conclude treaties of peace and friendship with the hostile Indian tribes.

1792. The Indian tribes which furnished warriors to oppose the United States were, in 1792, the Wyandots, the Pottawattamies, Miamis, Delawares, Shawanees, Chippewas, Ottawas and a part of the Senecas.

1792. June 1, Kentucky, as a state, was admitted into the Union.

1792 (?). Gallipolis settled by French colonists.

1792. At Vincennes, in March, 1792, Major Hamtramck concluded treaties of peace with some small parties of Indians of the Wea and Eel river tribes.

1792. On the 27th of September, 1792, General Rufus Putnam, accompanied by John Heckewelder, concluded a treaty of peace and friendship, at Vincennes, with thirty-one Indians of the Wabash and Illinois tribes.

1792. Captain Robert Gray, a citizen of the United States, in command of a trading vessel, from Boston, visited the mouth of the Columbia river.

1792. The following letter, written by the proprietor of the Pittsburg Gazette, mentions some of the difficulties which attended the publication of his newspaper in 1792:

"PITTSBURG, Monday Morning, July 1, 1792.

"MAJOR ISAAC CRAIG—Dear Sir: John Wright's pack-horses, by whom I receive my paper from Chambersburg, has returned without bringing me any, owing to none being finished. As I am entirely out, and do not know what to do, I take the liberty of applying to you for some you have in the public stores (and of which I have had some), as a loan, or an exchange, for the kind herein inclosed; and as this kind is smaller, I will make an adequate allowance, or, if you could wait two or three weeks, I will return you paper of a superior quality for any purpose, as I have sent to Philadelphia, by Mr. Brackenridge, for a large quantity, and John Wright's pack-horses return immediately to Chambersburg, and will bring me up some. As I conceive you will not want the paper as soon as I can replace it, I flatter myself you will let me have three reams, and as soon as I receive mine it shall be returned; or if you choose to take the inclosed in exchange, it shall be immediately sent you. If you can oblige me with the paper, it will do any time this day, and I shall consider myself under a very particular obligation.

"I am, dear sir, your most obedient servant,

[Craig's Pittsburg, p. 214.]

"JOHN SCULL.

1792. During the months of July, August and September, 1792, a great number of Indians, of the Miami, Pottawattamie, Delaware, Shawanee, Chippewa, Ottawa and Wyandot tribes, assembled at the rapids of the Maumee river for the purpose of holding a grand council. The Indians at this council determined that they would make no treaty that would confirm or acknowledge the claims of the United States to any portion of the territory northwest of the river Ohio.

1792. On the morning of the 6th of November, 1792, at day-break, about one hundred Kentucky militia, under the command of Major John Adair, were attacked in their camp by a strong body of Indians, and forced, after a short engagement, to retire into Fort St. Clair, which was within gunshot of the scene of action. Fort St. Clair stood at a point about one mile distant from the site of Eaton, in Preble county, Ohio. Adair lost six men killed and five wounded, together with the camp equipage

and one hundred and forty pack-horses. The loss of the Indians was not ascertained.

1792. On the 13th of September, 1792, Captain John Armstrong, the commanding officer at Fort Hamilton, on the Great Miami river, wrote to General James Wilkinson a letter, from which the following passage is copied: "I must, my dear general, in justice to my own feelings and to the men I command, repeat my complaint on the subject of clothing. It is known to you, sir, that my command has been a continued scene of fatigue; and it is a reflection upon the nation that the men should serve six months without clothing. They are now performing the duties of soldiers without shirts or shoes, and seven months' pay due them. What can the public expect from men thus treated?—called upon, naked as they are, to perform the hardest service—destitute of money to purchase for themselves even a chew of tobacco."

1792. The following extract of a letter (dated, "Fort Washington, April 10, 1792"), from Brigadier-General Wilkinson to Captain John Armstrong, then the commanding officer at Fort Hamilton, will throw some light upon the nature of the perilous service of those who were employed as spies:

"My messengers, Freeman at the head, left this on the 7th, with a 'big talk,' and are ordered to keep Harmar's trace, which will be an evidence to the enemy that they have no sinister designs in contemplation. If they are received, and are suffered to return, they have my directions to come by Fort Jefferson. You must order William May to desert in a day or two, or must cover his departure by putting him in the way to be taken prisoner—as you may deem best. I consider the first preferable in one point of view; that is, it would guard him effectually against any real desertion which may hereafter take place. It will be exceedingly difficult, if not impracticable for him ever to make a second trip with success. However, that will depend, in a great measure, upon the fertility of his own genius.

"He should cross the Miami at or near your post, and keep a due north course, remarking critically the distance, ground, and water-courses over which he may pass, until he strikes the St. Mary's, the site of the old Miami village, and the first town. His

first business will be to find out what has become of my messengers. If they have been received and well treated, he may authenticate the sincerity and good faith which has prescribed their journey. For this purpose, he must be made acquainted with the departure of the messengers and the order restraining offensive hostilities. But if they have been killed or made prisoners, and the enemy positively refuse to treat, then, so soon as he clearly ascertains these facts, he must return to us by the nearest and safest route. If this occasion should not present, he is to continue with the enemy, and is, at all events, to acquire their confidence. To this end, he must shave his head, assume their dress, adopt their habits and manners, and always be ready for the hunt or for war.

“His greatest object, during his residence with the enemy, will be to find out the names of the nations which compose the confederacy now at war; their numbers and the situation of their respective towns as to course and distance from the old Miami village and the locality of each.

“He will discover the names, residence, interest and influence of all the white men now connected with those savages, and whether the British stimulate, aid or abet them, and in what manner; whether openly, by the servants of government, or indirectly, by traders. He will labor to develop what are the general determinations of the savages, in case the war is continued and we gain possession of their country. Having made himself master of these points, or as far as may be practicable, he will embrace the first important occasion to come in to us. Such will be the moment when the enemy collectively take the field and advance against our army or a detachment of it, and have approached it within a day's march.

“Should he execute this mission with integrity and effect I pledge myself to restore him to his country, and will use my endeavors to get him some little establishment to make his old age comfortable.”

May deserted according to orders, and continued to reside among the Indians until the latter part of September, 1792, when he left them, and arrived at Pittsburg and made a report to Major-General Wayne. On the 18th of August, 1794, May was captured

by the Indians near the rapids of the Maumee; on the next day he was tied to a tree and shot.

1792. On the 28th of November, 1792, the army under the command of General Wayne left Pittsburg, and moved down the river Ohio about twenty-two miles, to a place (about seven miles above the mouth of Big Beaver), which was named Legionville, where the army remained until the 30th of April, 1793, when it moved, in boats, down the river to Cincinnati, and encamped in the vicinity of Fort Washington, at a place which was called "Hobson's Choice." At this place the main army was kept until the 7th of October, 1793. In a letter dated "Hobson's Choice, 9th May, 1793," and addressed to the secretary of war, General Wayne says: "We are now encamped a mile below Fort Washington, on the margin of the river, with a wide swamp in our front and the Ohio river in our rear. There is no good ground for maneuvers or encampment in the neighborhood of Fort Washington; add to this that the village of Cincinnati is directly upon our right flank, filled with ardent poison, and caitiff wretches to dispose of it."

1793. On the 2d of March, 1793, Benjamin Lincoln, of Massachusetts, Beverley Randolph, of Virginia, and Timothy Pickering, of Pennsylvania, were appointed, by the President of the United States, commissioners for the purpose of negotiating treaties of peace with the northwestern Indian tribes. The commissioners were furnished with secret instructions, from which the following extracts are copied:

"Gentlemen: You must be well aware of the extreme dislike of the great majority of the citizens of the United States to an Indian war, in almost any event; and with how much satisfaction they would embrace a peace upon terms of justice and humanity. To you, therefore, this negotiation is entrusted, with the hope that you will, by your intelligence and perseverance, be able to close a scene of hostilities, which, on the part of the United States, have been dictated by the protection due their frontier citizens.
* * * With respect to the treaties made between the United States and the several hostile tribes, since the peace with Great Britain in 1783, it is to be observed that the treaty of Fort Har-

mar, made in January, 1789, is regarded as having been formed on solid grounds—the principle being that of a fair purchase and sale. * * * Parties, however, who were not at the treaty of Fort Harmar, may have been either at the treaty of Fort McIntosh or the Miami. Buck-ong-a-he-las, a chief of the Delawares, was at the latter. But if it shall appear, upon a further investigation of the subject, at the place of conference, that there were other tribes interested in the lands then ceded to the United States than those who subscribed the said treaty, or that the consideration given was inadequate, it may be proper, in either or both cases, that a liberal compensation be made to the just claimants. * * * You will endeavor, to the utmost of your power, to induce the tribes claiming a right to the said lands, to confirm the boundary established by the said treaty of Fort Harmar, with the Six Nations, and Wyandots, Delawares, etc. * * * You are to understand, explicitly, that the United States can not relinquish any of the tracts of lands which they have already granted, as marked upon the said map.

“In respect to all that has been said with regard to relinquishment, you will please to understand that no particular difficulty is intended to be thrown in the way of the relinquishment of any lands west of the Great Miami, and northward of the Ohio, from the intersection thereof by the Great Miami, except the tract of one hundred and fifty thousand acres granted to General Clark. * * * In case of a successful treaty the delivery of all prisoners taken from the United States must be strenuously insisted upon. But it will be left to your judgment whether a particular compensation shall be stipulated or not to the individual owners of such prisoners; as it is well known that they are not considered as the common property of the Indian communities. * * * The Reverend John Heckewelder, a Moravian teacher, who resided many years among the Moravian Indians, of the Delawares, will accompany you, in order, also, to use his influence toward a peace. He well understands the Delaware tongue; and, although he is unwilling to act as a common interpreter, yet you may rely upon his ability to correct others, and prevent imposition.”

The efforts of the commissioners to make a treaty of peace with the hostile Indians was brought to a close by a letter which was

addressed to the commissioners on the 13th of August, 1793, and which concluded as follows:

"Brothers: We shall be persuaded that you mean to do us justice if you will agree that the Ohio shall remain the boundary line between us. If you will not consent thereto our meeting will be altogether unnecessary. This is the great point which we hoped would have been explained before you left your homes, as our message last fall was principally directed to obtain that information.

"Done in general council at the foot of the Maumee rapids, the 13th day of August, 1793.

"Nations—Wyandots, Seven Nations of Canada, Pottawatomies, Senecas of the Glaize, Shawanees, Cherokees, Miamis, Ottawas, Messagoes, Chippewas, Munsees, Mohicans, Connoys, Delawares, Nantakokies, Creeks."

The commissioners of the United States immediately sent the following brief answer to the confederate Indians at the rapids of the Maumee:

"To the Chiefs and Warriors of the Indian Nations assembled at the foot of the Maumee Rapids:

"Brothers: We have just received your answer, dated the 13th instant, to our speech of the 31st of last month, which we delivered to your deputies at this place. You say it was interpreted to all your nations, and we presume it was fully understood. We therein explicitly declared to you, that it was now impossible to make the Ohio the boundary between your lands and the lands of the United States. Your answer amounts to a declaration that you will agree to no other boundary than the Ohio. The negotiation is, therefore, at an end. We sincerely regret that peace is not the result, but, knowing the upright and liberal views of the United States, which, as far as you gave us an opportunity, we have explained to you, we trust that impartial judges will not attribute the continuance of the war to them.

"Done at Captain Elliott's, at the mouth of Detroit river, the 16th day of August, 1793.

"BENJAMIN LINCOLN,

"BEVERLEY RANDOLPH,

"TIMOTHY PICKERING,

"Commissioners of the United States."

1793. On the 7th of October, 1793, the army under the command of General Wayne marched from "Hobson's Choice," and, at ten o'clock on the morning of the 13th of October, encamped on a branch of the Great Miami river, "six miles advanced of Fort Jefferson." In the vicinity of this encampment Wayne erected Fort Greenville, where he established his headquarters for the winter of 1793-'4.

1793. The first newspaper printed northwest of the river Ohio was issued at Cincinnati, by William Maxwell, on the 9th of November, 1793. It was called the "Centinel of the Northwestern Territory;" was about twelve inches by nineteen in size; and its motto was, "Open to all parties—influenced by none."

1793. The corner-stone of the capitol of the United States of America was laid, by George Washington, with Masonic ceremonies, on the 18th of September, 1793. The orator of the occasion, in referring to the new seat of government, said that it was "seated in the very centricity of our republic, on the banks of one of the noblest rivers in the universe, sufficiently capacious to erect thereon a city equal, if not superior in magnitude, to any in the world."—[Alexandria (Va.) Gazette, of September 25, 1793; Dr. Toner's Medical Register, 1867, p. 72.]

1793. On the 23d of December General Wayne issued orders for the erection of a fort at the place where Governor St. Clair was defeated in 1791. The new fort was built, and called Fort Recovery.

1793. About the first of April, 1793, the Indians attacked Morgan's Station, on Slate creek, about seven miles east of Mt. Sterling, Kentucky. Nineteen prisoners were taken by the Indians. This was the last incursion of Indians into the interior of Kentucky. [Collins' Kentucky, 470.]

1793. In the latter part of the year 1793, the friends of the republic of France continued their efforts in Kentucky to raise an army for the invasion of Louisiana. They enlisted men, purchased boats, provisions, arms and ammunition, and fixed the place of rendezvous at the falls of the Ohio; from which point they expected to move, with about two thousand men, on the 15th of April, 1794.

By letters of the 9th of November, 1793, President Washington requested Isaac Shelby, governor of Kentucky, and Arthur St. Clair, governor of the territory of the United States northwest of the river Ohio, to "take all the measures in the course of the law," and, "if necessary, to use effectual military force" for the prevention of any hostile enterprise against the possessions of Spain on the Mississippi. Governor St. Clair immediately published a proclamation in his territory informing the citizens of the contemplated invasion, and warning them of the dangerous consequences of participating in it. The governor of Kentucky, on the 13th of January, 1794, wrote to Mr. Jefferson, secretary of state of the United States, a letter which contained the following passage: "I have great doubts, even if they [the agents and officers of Genet] do attempt to carry their plan into execution (provided they manage their business with prudence), whether there is any legal authority to restrain or punish them, at least before they have actually accomplished it; for, if it is lawful for any one citizen of this state to leave it, it is equally so for any number of them do to it. It is also lawful for them to carry with them any quantity of provisions, arms and ammunition; and, if the act is lawful in itself, there is nothing but the particular intention with which it is done that can possibly make it unlawful; but I know of no law which inflicts a punishment on intention only, or a criterion by which to decide what would be sufficient evidence of that intention, if it was a proper subject of legal censure. * * * But, whatever may be my private opinion as a man, as a friend to liberty, an American citizen, and an inhabitant of the western waters, I shall, at all times, hold it as my duty to perform whatever may be constitutionally required of me, as governor of Kentucky, by the president of the United States." [American State Papers, Foreign Relations, i. 456.]

1794. On the 24th of March, 1794, President Washington published the following proclamation:

"Whereas, I have received information that certain persons, in violation of the laws, have presumed, under color of foreign authority, to enlist citizens of the United States and others within the state of Kentucky, and have there assembled an armed force for

the purpose of invading and plundering the territories of a nation at peace with the United States; and, whereas, such unwarrantable measures being contrary to the laws of nations and to the duties incumbent on every citizen of the United States, tend to disturb the tranquillity of the same, and to involve them in the calamities of war; and, whereas, it is the duty of the executive to take care that such criminal proceedings should be suppressed, the offenders brought to justice and all good citizens cautioned against measures likely to prove so pernicious to their country and themselves, should they be seduced into similar infractions of the laws; I have, therefore, thought proper to issue this proclamation, hereby solemnly warning every person not authorized by the laws, against enlisting any citizen or citizens of the United States, or levying troops, or assembling any persons within the United States for the purposes aforesaid, or proceeding in any manner to the execution thereof, as they will answer the same at their peril; and I do also admonish and require all citizens to refrain from enlisting, enrolling or assembling themselves for such unlawful purposes, and from being in any way concerned, aiding or abetting therein, as they tender their own welfare, inasmuch as all lawful means will be strictly put in execution for securing obedience to the laws, and for punishing such daring and dangerous violations; and I do, moreover, charge and require all courts, magistrates and other officers whom it may concern, according to their respective duties, to exert the powers in them severally vested, to prevent and suppress all such unlawful assemblages and proceedings, and to bring to condign punishment those who may have been guilty thereof, as they regard the due authority of government and the peace and welfare of the United States.

“In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

“Done at Philadelphia, the 24th day of March, 1794, and of the independence of the United States of America the eighteenth.

“GEORGE WASHINGTON.”

1794. On the 31st of March, President Washington dispatched

orders to General Wayne requiring that officer to garrison Fort Massac, which stood on the right bank of the Ohio river, about eight miles below the mouth of the Tennessee river, and to prevent the passage, by water, of any hostile expedition from Kentucky against the Spanish possessions on the lower Mississippi. The friends of the proposed expedition submitted, somewhat reluctantly, to the authority of the national government.

1794. On the morning of the 30th of June, 1794, an escort commanded by Major McMahon, consisting of ninety riflemen and fifty dragoons, was attacked by a numerous body of Indians, "under the walls of Fort Recovery." Several attacks were made on the fort within the space of about twenty-four hours, after which the Indians retired. In the course of these attacks the Americans lost twenty-two men killed, thirty wounded and three missing. They also lost two hundred and twenty-one horses, killed, wounded and missing.

1794. General Charles Scott, with about sixteen hundred mounted volunteers from Kentucky, arrived at Fort Greenville, on the 26th of July, 1794, and joined the regular troops under the command of General Wayne. On the 28th of July the united forces commenced their march for the Indian towns on the Maumee river.

1794. On the 4th of August Wayne's army moved from Fort Adams (which was built on the St. Mary's river, about twenty-four miles northward of Fort Recovery), and, on the 8th of August, the army arrived at the confluence of the Maumee and Au Glaize rivers, where Wayne built a fortification which he called Fort Defiance.

1794. General Wayne moved with his forces from Fort Defiance on the 15th of August, 1794, and directed his march toward the British fort at the foot of the rapids of the river Maumee. On the 20th of August he gained a decisive victory over the army of the Indians. The battle was fought on the left bank of the Maumee, almost within the reach of the guns of the British fort. The following account of this engagement was transmitted, by General Wayne, to the secretary of war:

“HEADQUARTERS [Fort Defiance],

“GRAND GLAIZE, 28th August, 1794.

“Sir: It is with infinite pleasure that I now announce to you the brilliant success of the Federal army under my command in a general action with the combined force of the hostile Indians, and a considerable number of the volunteers and militia of Detroit, on the 20th instant, on the banks of the Maumee, in the vicinity of the British post and garrison at the foot of the rapids. The army advanced from this place [Fort Defiance] on the 15th, and arrived at Roche de Bout on the 18th; the 19th was employed in making a temporary post* for the reception of our stores and baggage, and in reconnoitering the position of the enemy, who were encamped behind a thick, brushy wood, and the British fort.

“At eight o’clock on the morning of the 20th the army again advanced in columns, agreeably to the standing order of march, the legion on the right, its flank covered by the Maumee, one brigade of mounted volunteers on the left, under Brigadier-General Todd, and the other in the rear, under Brigadier-General Barbee. A select battalion of mounted volunteers moved in front of the legion, commanded by Major Price, who was directed to keep sufficiently advanced, so as to give timely notice for the troops to form in case of action, it being yet undetermined whether the Indians would decide for peace or war.

“After advancing about five miles, Major Price’s corps received so severe a fire from the enemy, who were secreted in the woods and high grass, as to compel them to retreat. The legion was immediately formed in two lines, principally in a close, thick wood, which extended for miles on our left and for a very considerable distance in front, the ground being covered with old fallen timber, probably occasioned by a tornado, which rendered it impracticable for the cavalry to act with effect, and afforded the enemy the most favorable covert for their mode of warfare. The savages were formed in three lines, within supporting distance of each other, and extending for near two miles at right angles with the river. I soon discovered, from the weight of the fire and ex-

*This post, which was called “Fort Deposit,” was about seven miles from the British fort at the foot of the rapids.

tent of their lines, that the enemy were in full force in front, in possession of their favorite ground, and endeavoring to turn our left flank. I, therefore, gave orders for the second line to advance and support the first, and directed Major-General Scott to gain and turn the right flank of the savages, with the whole of the mounted volunteers, by a circuitous route; at the same time I ordered the front line to advance and charge with trailed arms and rouse the Indians from their coverts at the point of the bayonet, and when up, to deliver a close and well directed fire on their backs, followed by a brisk charge, so as not to give them time to load again.

"I also ordered Captain Mis Campbell, who commanded the legionary cavalry, to turn the left flank of the enemy next the river, and which afforded a favorable field for that corps to act in. All these orders were obeyed with spirit and promptitude; but such was the impetuosity of the charge by the first line of infantry, that the Indians and Canadian militia and volunteers were drove from all their coverts in so short a time that, although every possible exertion was used by the officers of the second line of the legion, and by Generals Scott, Todd, and Barbee, of the mounted volunteers, to gain their proper positions, but part of each could get up in season to participate in the action; the enemy being drove, in the course of one hour, more than two miles through the thick woods already mentioned by less than one-half their numbers. From every account, the enemy amounted to two thousand combatants. The troops actually engaged against them were short of nine hundred.* This horde of savages, with their allies, abandoned themselves to flight, and dispersed with terror and dismay, leaving our victorious army in full and quiet possession of the field of battle, which terminated under the influence of the guns of the British garrison, as you will observe by the inclosed correspondence between Major Campbell, the commandant, and myself, upon the occasion.

*The exact number of Indians engaged in this action against Wayne's army has never been ascertained. There were, however, about 450 Delawares, 175 Miamis, 275 Shawanees, 225 Ottawas, 275 Wyandots, and a small number of Senecas, Pottawattamies, and Chippewas. The number of white men who fought in defense of the Indians in this engagement was about seventy, including a corps of volunteers from Detroit, under the command of Captain Caldwell.

“The bravery and conduct of every officer belonging to the army, from the generals down to the ensigns, merit my highest approbation. There were, however, some, whose rank and situation placed their conduct in a very conspicuous point of view, and which I observed with pleasure and the most lively gratitude; among whom I must beg leave to mention Brigadier-General Wilkinson and Colonel Hamtramck, the commandants of the right and left wings of the legion, whose brave example inspired the troops. To those I must add the names of my faithful and gallant aids-de-camp, Captains De Butt and T. Lewis; and Lieutenant Harrison, who, with the adjutant-general, Major Mills, rendered the most essential service by communicating my orders in every direction, and by their conduct and bravery exciting the troops to press for victory. Lieutenant Covington, upon whom the command of the cavalry now devolved, cut down two savages with his own hand, and Lieutenant Webb one, in turning the enemy's left flank. The wounds received by Captains Slough and Prior, and Lieutenant Campbell Smith, an extra aid-de-camp to General Wilkinson, of the legionary infantry, and Captain Van Rensselaer, of the dragoons, Captain Rawlins, Lieutenant McKenny, and Ensign Duncan, of the mounted volunteers, bear honorable testimony of their bravery and conduct.

“Captain H. Lewis and Brock, with their companies of light infantry, had to sustain an unequal fire for some time, which they supported with fortitude. In fact, every officer and soldier who had an opportunity to come into action displayed that true bravery which will always ensure success. And here permit me to declare, that I never discovered more true spirit and anxiety for action than appeared to pervade the whole of the mounted volunteers; and I am well persuaded that, had the enemy maintained their favorite ground for one-half hour longer, they would have most severely felt the prowess of that corps. But, while I pay this tribute to the living, I must not neglect the gallant dead, among whom we have to lament the early death of those worthy and brave officers, Captain Mis Campbell, of the dragoons, and Lieutenant Towles, of the light infantry, of the legion, who fell in the first charge.

"Enclosed is a particular return of the killed and wounded.* The loss of the enemy was more than double to that of the Federal army. The woods were strewn for a considerable distance with the dead bodies of Indians† and their white auxiliaries—the latter armed with British muskets and bayonets.

"We remained three days and nights on the banks of the Maumee, in front of the field of battle, during which time all the houses and corn fields were consumed and destroyed for a considerable distance both above and below Fort Miami, as well as within pistol shot of the garrison, who were compelled to remain tacit spectators to this general devastation and conflagration, among which were the houses, stores and property of Colonel McKee, the British Indian agent, and principal stimulator of the war now existing between the United States and the savages.

"The army returned to this place [Fort Defiance] on the 27th, by easy marches, laying waste the villages and corn fields for about fifty miles on each side of the Maumee. There remains yet a great number of villages, and a great quantity of corn, to be consumed or destroyed, upon Auglaize and the Maumee above this place, which will be effected in the course of a few days. In the interim we shall improve Fort Defiance; and, as soon as the escort returns with the necessary supplies from Greenville and Fort Recovery, the army will proceed to the Miami villages, in order to accomplish the object of the campaign. It is, however, not improbable that the enemy may make one desperate effort against the army; as it is said that a reinforcement was hourly expected at Fort Miami‡ from Niagara, as well as numerous tribes of Indians living on the margin and islands of the lakes. This is a business rather to be

*According to this return, the regular troops lost twenty-six killed and eighty-seven wounded. The loss of the Kentucky volunteers was seven killed and thirteen wounded. Nine regulars and two volunteers died of their wounds before the 28th of August, 1794.

†A "Daily Journal of Wayne's Campaign," says, "the enemy giving way in all quarters, * * * left us in possession of their dead, to the number of forty." [American Pioneer, i. 318.]

‡At the time of the action of the 20th of August the garrison of this fort consisted of about 250 regulars and 200 militia. There were "four nine-pounders, two large howitzers, and six six-pounders mounted in the fort, and two swivels." [American State Papers.]

wished for than dreaded while the army remains in force. Their numbers will only tend to confuse the savages, and the victory will be the more complete and decisive, and which may eventually insure a permanent and happy peace.

"Under these impressions, I have the honor to be your most obedient and very humble servant, ANTHONY WAYNE.

"The Hon. Major-General H. KNOX, Secretary of War."

Immediately after the action of the 20th of August the American troops continued their march down the northwestern banks of the Maumee, and encamped within view of the British fort.* While the American army occupied this position (from the afternoon of the 20th to the forenoon of the 23d), five letters passed between General Wayne and Major Campbell, the commandant of Fort Miami. Copies of these letters here follow:

[NUMBER I.]

"MIAMI [Maumee] RIVER, August 21, 1794.

"Sir: An army of the United States of America, said to be under your command, having taken post on the banks of the Miami [Maumee] for upwards of the last twenty-four hours, almost within the reach of the guns of this fort, being a post belonging to his majesty the king of Great Britain, occupied by his majesty's troops, and which I have the honor to command, it becomes my duty to inform myself, as speedily as possible, in what light I am to view your making such near approaches to this garrison. I have no hesitation, on my part, to say, that I know of no war existing between Great Britain and America.

"I have the honor to be, sir, with great respect, your most obedient and very humble servant, WILLIAM CAMPBELL,

Major 24th Regiment, commanding a British post on the banks of the Miami.

"To Major-General WAYNE, etc."

*This fort, which was called "Fort Miami" [or Maumee], stood on the northwestern bank of the river Maumee, at or near the site on which Maumee city (in Lucas county, Ohio) now stands.

[NUMBER II.]

"CAMP ON THE BANK OF THE MIAMI [Maumee], }
August 21, 1794. }

"Sir: I have received your letter of this date, requiring from me the motives which have moved the army under my command to the position they at present occupy, far within the acknowledged jurisdiction of the United States of America. Without questioning the authority or the propriety, sir, of your interrogatory, I think I may, without breach of decorum, observe to you, that, were you entitled to an answer, the most full and satisfactory one was announced to you from the muzzles of my small arms yesterday morning, in the action against the horde of savages in the vicinity of your post, which terminated gloriously to the American arms, but had it continued until the Indians, etc., were driven under the influence of the post and guns you mention, they would not have much impeded the progress of the victorious army under my command, as no such post was established at the commencement of the present war between the Indians and the United States.

"I have the honor to be, sir, with great respect, your most obedient and very humble servant, ANTHONY WAYNE,

"Major-General, and Commander-in-Chief of the Federal Army.

"To Major WILLIAM CAMPBELL, etc."

[NUMBER III.]

"FORT MIAMI, August 22, 1794.

"Sir: Although your letter of yesterday's date fully authorizes me to any act of hostility against the army of the United States of America in this neighborhood, under your command, yet, still anxious to prevent that dreadful decision which, perhaps, is not intended to be appealed to by either of our countries, I have forborne, for these two days past, to resent those insults you have offered to the British flag flying at this fort, by approaching it within pistol shot of my works, not only singly, but in numbers, with arms in their hands. Neither is it my wish to wage war with individuals, but should you, after this, continue to approach my post in the threatening manner you are at this moment doing, my indispensa-

ble duty to my king and country, and the honor of my profession, will oblige me to have recourse to those measures which thousands of either nation may hereafter have cause to regret, and which, I solemnly appeal to God, I have used my utmost endeavors to arrest.

"I have the honor to be, sir, with much respect, your most obedient and very humble servant, WILLIAM CAMPBELL,

"Major 24th Regiment, Commanding at Fort Miami.

"Major-General WAYNE, etc."

[NUMBER IV.]

"CAMP, BANKS OF THE MIAMI, 22d August, 1794.

"Sir: In your letter of the 21st instant you declare, 'I have no hesitation on my part to say, that I know of no war existing between Great Britain and America.' I, on my part, declare the same, and that the only cause I have to entertain a contrary idea at present is the hostile act you are now in commission of, *i. e.*, by recently taking post far within the well-known and acknowledged limits of the United States, and erecting a fortification in the heart of the settlements of the Indian tribes now at war with the United States. This, sir, appears to be an act of the highest aggression, and destructive to the peace and interest of the Union. Hence, it becomes my duty to desire, and I do hereby desire and demand, in the name of the president of the United States, that you immediately desist from any further act of hostility or aggression, by forbearing to fortify, and by withdrawing the troops, artillery and stores under your orders and direction, forthwith, and removing to the nearest post occupied by his Britannic majesty's troops at the peace of 1783, and which you will be permitted to do unmolested by the troops under my command.

"I am, with very great respect, sir, your most obedient and very humble servant, ANTHONY WAYNE.

"Major WILLIAM CAMPBELL, etc."

[NUMBER V.]

"FORT MIAMI, 22d August, 1794.

"Sir: I have this moment the honor to acknowledge the re-

ceipt of your letter of this date; in answer to which I have only to say that, being placed here in the command of a British post, and acting in a military capacity only, I can not enter into any discussion either on the right or impropriety of my occupying my present position. Those are matters that I conceive will be best left to the ambassadors of our different nations. Having said thus much, permit me to inform you that I certainly will not abandon this post at the summons of any power whatever, until I receive orders to that purpose from those I have the honor to serve under, or the fortune of war should oblige me. I must still adhere, sir, to the purport of my letters this morning, to desire that your army, or individuals belonging to it, will not approach within reach of my cannon without expecting the consequences attending it. Although I have said, in the former part of my letter, that my situation here is totally military, yet let me add, sir, that I am much deceived if his majesty, the king of Great Britain, had not a post on this river at and prior to the period you mention.

"I have the honor to be, sir, with the greatest respect, your most obedient and very humble servant,

" WILLIAM CAMPBELL,

" Major 24th Regiment, Commanding at Fort Miami.

"To Major-General WAYNE, etc."

On the 14th of September, 1794, the army under the command of Wayne moved from Fort Defiance and marched toward the deserted Miami village which stood at the confluence of the rivers St. Joseph's and St. Mary's. The troops reached that place on the 17th of September; and, on the 18th, General Wayne reconnoitred the ground, and selected a site for a fort. On the 22d of October, a fort was completed and garrisoned by a strong detachment, consisting of infantry and artillery, under the command of Colonel John F. Hamtramck, who gave to the new fortification the name of Fort Wayne. It was of a square form, with bastions at each angle, a ditch and parapet, and was large enough to contain about five hundred men. On the 2d of November, 1794, General Wayne established his headquarters at Greenville.

1794. The "Whisky Insurrection," which broke out among some of the people of the western counties of Pennsylvania, in

1791, was suppressed after costing the national government about six hundred and seventy thousand dollars. "The first act of violence occurred on the 6th of September, 1791, and was to the person and property of Robert Johnson, collector of the revenue for the counties of Washington and Allegheny. A party of men, armed and disguised, waylaid him at a place on Pigeon creek, in Washington county, seized, tarred and feathered him, cut off his hair, and deprived him of his horse." Other officers were tarred and feathered, whipped, and deprived of valuable property. [Memoirs of Historical Society of Pennsylvania, vi. 130.]

1794. In the course of the winter of 1794-5, General Wayne was visited at his headquarters by parties of Wyandots, Ottawas, Chippewas, Pottawattamies, Sacs, Miamis, Delawares and Shawanees, who respectively signed preliminary articles of peace, and agreed to meet Wayne at Greenville, on or about the 15th of June, 1795, with all the sachems and war chiefs of their nations, for the purpose of concluding a definitive treaty of peace between the United States and the Indian tribes of the northwestern territory.

1794. In May, 1794, a skirmish took place between small parties of whites and Indians, near the Ohio river, on the borders of Captina creek. [Ohio Historical Collections, p. 55.]

1795. Between the years 1774 and 1795 about two hundred and thirteen "stations," "forts," or "blockhouses" were built in Kentucky. [Collins' Kentucky.] At almost every "station" or settlement the settlers built a fort or blockhouse.

1795. A treaty of amity, commerce and navigation between the United States and Great Britain was ratified on the 24th of June, 1795. (?)

1795. In 1795 Cincinnati contained ninety-four cabins, ten frame houses, and about five hundred inhabitants. [Cist.]

1795. Prices current at Nashville, Tennessee, June 4, 1795: Corn, per bushel, $16\frac{2}{3}$ cents; wheat, per bushel, $66\frac{2}{3}$ to 75 cents; rye, per bushel, $41\frac{1}{2}$ cents; potatoes, per bushel, $33\frac{1}{2}$ cents; beef per one hundred pounds, \$2.00; pork, per one hundred pounds, \$3.00; butter, per pound, $8\frac{1}{2}$ cents; cheese, per pound, $8\frac{1}{2}$ cents;

bacon, per pound, $8\frac{1}{3}$ cents; bar iron, per pound, $16\frac{2}{3}$ cents; castings, per pound, $16\frac{2}{3}$ cents; whisky, per gallon, 75 cents to \$1.00. [Imlay.]

1795. The price of whisky at Vincennes, on the river Wabash, was three shillings per quart.

1795. In the month of November, 1795, the town of Dayton, in Ohio, was laid out.

1795. A settlement was founded at Armstrong's Station, on the right bank of the river Ohio, about seventeen miles above the falls.

1795. From the 16th of June to the 10th of August, in 1795, General Wayne was engaged in negotiating a treaty of peace and friendship with various Indian tribes at Greenville. The treaty was signed on the 3d of August, and the proceedings were brought to a close on the 10th of the month, in a manner which was satisfactory to the government of the United States, and acceptable to the Indian tribes that were parties to the treaty. These tribes were the Wyandots, Delawares, Shawanees, Ottawas, Chippewas, Pottawattamies. Miamis, Eel Rivers, Weas, Kickapoos, Piankeshaws and Kaskaskias.

1795. On the 10th of August, in council, General Wayne, at the close of a short speech, said: "I now fervently pray to the Great Spirit that the peace now established may be permanent, and that it may hold us together in the bonds of friendship until time shall be no more. I also pray that the Great Spirit above may enlighten your minds and open your eyes to your true happiness, that your children may learn to cultivate the earth, and enjoy the fruits of peace and industry. As it is probable, my children, that we shall not soon meet again in public council I take this opportunity of bidding you all an affectionate farewell, and of wishing you a safe and happy return to your respective homes and families."

The treaty of Greenville was concluded in a manner which was satisfactory to the government of the United States and acceptable to the Indian tribes who inhabited the territory of the United States northwest of the river Ohio. Information of the treaty, and of the pacific disposition of the Indians, was soon spread among

the people of the eastern States of the American Union; and a full and constant tide of emigration began to flow from those States into the northwestern territory. Of the emigrants, some settled in the western reserve of Connecticut; some selected favorable sites on the banks of the Ohio; the rich valleys of the rivers Scioto and Muskingum were settled by others; and many, attracted by the fame of the fertile region which lies between the two Miami rivers, settled at various places within the boundaries of Symmes' purchase.

1795. On the 29th day of May, 1795, Governor St. Clair and two judges of the northwestern territory (John Cleves Symmes and George Turner) met at Cincinnati in their legislative capacity. In the course of their session, which ended on the 25th of August, 1795, they adopted and made thirty-eight laws. The first section of "a law for the trial and punishment of larceny, under a dollar and a half," contains the following provisions: "If any person shall be convicted, either by his or her own confession, or the testimony of credible evidence, before any two justices of the peace, in their respective counties, of having feloniously stolen any money, goods, or chattles, (the same being under the value of five shillings, now equal to one hundred and fifty cents) the offender shall have judgment to be immediately and publicly whipped, upon his or her bare back, not exceeding fifteen lashes; or be fined in any sum, at the discretion of the said justices, not exceeding three dollars; and, if able, to make restitution, besides, to the party wronged; paying also the charges of prosecution and whipping; or, otherwise, shall be sent to the workhouse, to be kept at hard labor; and, for want of such workhouse, to be committed to prison, for such charges, for a term not exceeding twelve days."

A law limiting imprisonment for debt, and subjecting certain debtors and delinquents to servitude, contains the following provisions: "No person shall be kept in prison for debt or fines longer than the second day of the sessions next after his or her commitment, unless the plaintiff shall make it appear that the person imprisoned hath some estate that he will not disclose; then, and in every such case, the court shall examine all persons suspected to be privy to the concealment of such estate; and if no

sufficient estate be found, the debtor shall make satisfaction by personal and reasonable servitude, according to the judgment of the court where such action is tried (but only if the plaintiff require it), not exceeding seven years, where such debtor is unmarried and under the age of forty years; unless it be the request of the debtor, who may be above that age; but if the debtor be married, and under the age of thirty-six, the servitude shall be for five years only; and with which the married man, upward of thirty-six, shall be privileged, if it be his request. Should the plaintiff refuse to accept such satisfaction according to the judgment of the court, as aforesaid, then the prisoner shall be discharged in open court, and the plaintiff be forever barred from any further or other action for the same debt."

1796. From the Pittsburg Gazette of January 9, 1796: "The number of inhabitants in the borough of Pittsburg, as taken by the assessors during the last week, amounts to one thousand three hundred and fifty-five."

1796. The town of Chillicothe, in Ohio, was founded.

1796. The town of Cleveland, in Ohio, was founded.

1796. Tennessee was admitted as a state into the Union, by an act of Congress, June 1, 1796.

1796. Major-General Anthony Wayne died at Presque Isle on the fifteenth of December.

1796. In the summer of the year 1796, Mr. C. F. C. Volney, a distinguished French traveler, visited Vincennes. At that time the town contained about fifty dwelling houses, "whose cheerful white relieved the eye, after the tedious dusk and green of the woods." Each house was surrounded by a garden fenced with poles. Peach trees and inferior kinds of apple trees grew in many of the inclosures. Many different kinds of garden vegetables were cultivated by the inhabitants, and corn, tobacco, wheat, barley, "and even cotton," grew in the fields around the village.

The following passages relating to the condition of the population of Vincennes in 1796 are taken from Volney's "View of the Soil and Climate of the United States of America:" "Adjoin-

ing the village and river is a space inclosed by a ditch eight feet wide and by sharp stakes six feet high. This is called the fort, and is a sufficient safeguard against surprises from the Indians. I had letters to a principal man of the place, by birth a Dutchman, who spoke good French. I was accommodated at his house in the kindest and most hospitable manner for ten days. The day after my arrival [August 3d] a court was held, to which I repaired to make my remarks on the scene. On entering, I was surprised to find the audience divided into races of men in person and feature widely different from each other. The fair or light brown hair, ruddy complexion, round face and plump body, indicative of health and ease, of one set, were forcibly contrasted with the emaciated frame and meager, tawny visage of the other. The dress, likewise, of the latter denoted their indigence. I soon discovered that the former were new settlers from the neighboring states, whose lands had been reclaimed five or six years before, while the latter were French of sixty years standing in the district. The latter, three or four excepted, knew nothing of English, while the former were almost as ignorant of French. I had acquired, in the course of the year, a sufficient knowledge of English to converse with them and was thus enabled to hear the tales of both parties.

“The French, in a querulous tone, recounted the losses and hardships they had suffered, especially since the last Indian war, in 1788. * * * They complained that they were cheated and robbed, and especially that their rights were continually violated by the courts, in which two judges only out of five were Frenchmen, who knew little of the laws or language of the English. Their ignorance, indeed, was profound. Nobody ever opened a school among them till it was done by the abbe R. [Rivet], a polite, well-educated and liberal-minded missionary, banished hither by the French revolution. Out of nine of the French, scarcely six could read or write; whereas, nine-tenths of the Americans, or emigrants from the east, could do both. * * * I could not fix, with accuracy, the date of the first settlement of Vincennes; and, notwithstanding the homage paid by some learned men to tradition, I could trace out but few events of the war of 1757, though some of the old men lived before that period. I was only able to form a conjecture that it was planted about 1735.

"These statements were confirmed, for the most part, by the new settlers. They only placed the same facts in a different point of view. They told me that the Canadians (for by that name the French of the western colonies are known to them) had only themselves to blame for all the hardships they complained of. We must allow, say they, that they are a kind, hospitable, sociable sect; but then, for idleness and ignorance they beat the Indians themselves. They know nothing at all of our civil or domestic affairs. Their women neither sew, nor spin, nor make butter. * * * * The men take to nothing but hunting, fishing, roaming through the woods, and loitering in the sun. They do not lay up, as we do, for winter, or provide for a rainy day. They can not cure pork or venison, make sourkroust or spruce beer, or distill spirits from apples or rye—all needful arts to the farmer." [Volney's View, Philadelphia ed. 1804, p. 332.]

1796. Before the close of the month of July, 1796, the British garrisons, with all their arms, artillery and stores, were withdrawn from Detroit and all other posts within the boundaries of the territory of the United States northwest of the river Ohio.

1796. In September, 1796, Winthrop Sargent, Secretary of the northwestern territory, visited Detroit, where he laid out the county of Wayne, and established the civil authority of the United States in that quarter of the territory.

1796. A treaty of friendship, limits and navigation between the United States and the kingdom of Spain, was ratified on the 3d of March, 1796. By this treaty the southern boundary of the United States was fixed "by a line beginning on the river Mississippi at the northernmost part of the thirty-first degree of latitude north of the equator, which from thence shall be drawn due east to the middle of the river Appalachicola or Catahouche; thence along the middle thereof to its junction with the Flint; thence straight to the head of St. Mary's river, and thence down the middle thereof to the Atlantic ocean."

1797. John Adams, the second president of the United States, was inaugurated on the 4th of March, 1797.

1797. The Pittsburg Gazette, of June 24, 1797, contains the

following editorial article: "This paper is made in the western country. It is with great pleasure that we present to the public the Pittsburgh Gazette, printed on paper made by Messrs. Jackson & Sharpless, on Redstone creek, Fayette county. Writing paper of all kinds and qualities, as well as printing paper, will be made at this mill. This is of great importance to the inhabitants of the country, not only because it will be cheaper than that which is brought across the mountains, but it will keep a large sum of money in the country which is yearly sent out for this article." [See Haz. Pennsylvania Register, v. 13, p. 224.] Samuel Jackson and Jonathan Sharpless built the first paper mill that was established in the country west of the Allegheny mountains. It was commenced in 1796. The first blast furnace for the manufacture of iron west of the Allegheny mountains, was erected on Dunbar creek, about fifteen miles east of Brownsville, by Colonel Isaac Mason, John Gibson and Moses Dillon, the latter of whom afterwards settled in Ohio, and erected similar works near Zanesville. [Day's Historical Collections, 343.]

1797. In 1797, the town of Detroit contained three hundred houses.

1797. The Spanish authorities of Louisiana sent messages to the Illinois and Wabash Indians inviting them to remove to the country west of the river Mississippi.

1797. Under the authority of the government of the United States, Ebenezer Zane, Jonathan Zane, and their assistants, laid out a road leading from Wheeling, in Virginia, through the country on the northwestern side of the river Ohio, to Maysville, in Kentucky.

1797. In 1797, Colonel Daniel Boone (on the invitation of Zenon Trudeau, the Spanish lieutenant-governor of Upper Louisiana) removed from Kentucky to the country on the western side of the river Mississippi; and, on the 24th of January, 1798, having become a subject of the Spanish government, received from Lieutenant-Governor Trudeau a grant of one thousand arpents of land "situate on Femme Osage, District of St. Charles."

1797. The following is a statement of distances, in 1797, on the road from Philadelphia to the Ohio river, at Pittsburg. [From Imlay.]

	MILES.		MILES.
To Lancaster	66	To Juniata Creek	19
Middletown	26	Bedford.....	14
Harris' Ferry.....	10	Foot of the Allegheny Mountains	15
Carlisle.....	17	Stony Creek.....	15
Shippensburg	21	East Side of Laurel Hill.....	12
Chamberstown.....	11	Fort Ligonier.....	9
Fort Loudon.....	13	Pittsburg.....	54
Fort Littleton.....	18		
		Total.....	320

Statement of distances, in 1797, on the road from Philadelphia to the falls of the river Ohio, by land. [From Imlay.]

	MILES.		MILES.
To Lancaster	66	To Washington Court House.....	45
Wright's, on Susquehanna.....	10	Blockhouse.....	35
Yorktown.....	12	Powell's Mountain.....	33
Abbottstown.....	15	Walden's Ridge.....	3
Hunterstown.....	10	The Valley Station.....	4
Mountain at Black's Gap.....	3	Martin Cabins.....	25
The Other Side of the Mountain..	7	Cumberland Mountain.....	20
The Stone House Tavern	25	Cumberland River.....	13
Wadkin's Ferry, on Potomac.....	14	Flat Lick.....	9
Martinsburg.....	13	Stinking Creek	2
Winchester.....	20	Richland Creek.....	7
Newtown.....	8	Down Richland Creek	8
Stoverstown.....	10	Raccoon Spring.....	6
Woodstock.....	12	Laurel River	2
Shenandoah River.....	15	Hazel Patch.....	15
North Branch of Shenandoah.....	29	Ford on Rockcastle River.....	10
Stanton.....	15	English Station.....	25
North Fork of James River	37	Colonel Edward's at Crab Orchard	3
James River.....	18	Whitley's Station	5
Botetourt Court House.....	12	Logan's Station.....	5
Woods', on Catawba River.....	21	Clark's Station.....	7
Patterson's, on Roanoke.....	9	Crow's Station.....	4
The Allegheny Mountain.....	8	Harrod's Station.....	3
New River	12	Harland's	4
Forks of the Road.....	16	Harbison's.....	10
Fort Chissel.....	12	Bard's Town.....	25
The Stone Mill.....	11	The Salt Works.....	25
Boyd's.....	8	The Falls of the Ohio	20
Head of Holston.....	5		
		Total from Philadelphia.....	826

1797. In the course of the years 1795, 1796 and 1797, before the Spanish posts on the eastern side of the Mississippi were given up to the United States, some efforts were made by the agents of France and Spain to induce the people of the western country to separate themselves from the American Union, and to establish, in

conjunction with Spain and France, an independent government on the western side of the Allegheny mountains. After the death of General Wayne, General James Wilkinson was invested with the command of the United States troops in the west; and, in the month of June, 1797, the Baron de Carondelet, governor-general of Louisiana, sent one of his agents, Thomas Power, to General Wilkinson, with a letter, in which Wilkinson was requested to delay the march of the American troops for the posts on the Mississippi until the adjustment of certain questions which were then pending between the United States and the government of Spain. The real object of the mission of Thomas Power was to ascertain the opinions and sentiments of the western people on the subject of a separation of the Union. The following passages are extracted from the secret instructions which were given to Power by the Baron de Carondelet, on the 26th of May, 1797:

"On your journey, you will give to understand adroitly, to those persons to whom you have an opportunity of speaking, that the delivery of the posts which the Spaniards occupy on the Mississippi, to the troops of the United States, is directly opposed to the interest of those of the west, who, as they must one day separate from the Atlantic states, would find themselves without any communication with lower Louisiana, whence they ought to expect to receive powerful succors in artillery, arms, ammunition and money, either publicly or secretly, as soon as ever the western states should determine on a separation, which must insure their prosperity and their independence; that, for this reason, Congress is resolved on risking everything to take those posts from Spain; and that it would be forging fetters for themselves to furnish it with militia and means, which it can only find in the western states. These same reasons, diffused abroad by means of the public papers, might make the strongest impressions on the people, and induce them to throw off the yoke of the Atlantic states. * * * If a hundred thousand dollars distributed in Kentucky would cause it to rise in insurrection, I am very certain that the minister, in the present circumstances, would sacrifice them with pleasure; and you may, without exposing yourself too much, promise them to those who enjoy the confidence of the people, with another equal

sum to arm them, in case of necessity, and twenty pieces of field artillery.

“ You will arrive without danger, as bearer of a dispatch for the general, where the army may be, whose force, discipline and disposition you will examine with care; and you will endeavor to discover, with your natural penetration, the general’s disposition. I doubt that a person of his disposition would prefer, through vanity, the advantages of commanding the army of the Atlantic states, to that of being the founder, the liberator, in fine, the Washington of the western states; his part is as brilliant as it is easy; all eyes are drawn toward him; he possesses the confidence of his fellow citizens and of the Kentucky volunteers; at the slightest movement the people will name him the general of the new republic; his reputation will raise an army for him, and Spain as well as France will furnish him the means of paying it. On taking Fort Massac, we will send him instantly arms and artillery; and Spain, limiting herself to the possession of the forts of Natchez and Walnut Hills, as far as Fort Confederation, will cede to the western states all the eastern bank to the Ohio, which will form a very extensive and powerful republic, connected by its situation and by its interest with Spain, and in concert with it, will force the savages to become a party to it, and to confound themselves in time with its citizens.

The public are discontented with the new taxes; Spain and France are enraged at the connection of the United States with England; the army is weak and devoted to Wilkinson; the threats of Congress authorize me to succor, on the spot and openly, the western states; money will not then be wanting to me, for I shall send without delay a ship to Vera Cruz in search of it, as well as of ammunition. Nothing more will consequently be required but an instant of firmness and resolution to make the people of the west perfectly happy. If they suffer this instant to escape them, and we are forced to deliver up the posts, Kentucky and Tennessee, surrounded by the said posts, and without communication with lower Louisiana, will ever remain under the oppression of the Atlantic states.”*

The emissary Power passed through Tennessee, Kentucky

* American State Papers—Miscellaneous, ii, 103.

and the northwestern territory as far as Detroit, where, late in the month of August, he found General Wilkinson.

A letter dated "Detroit, September 4, 1797," from Wilkinson to Captain Robert Buntin, of Vincennes, contains the following passages:

"I fear the Spaniards will oblige us to go to blows with them, in which case you know they must go to the wall. I shall pursue every means in my power to preserve to our country the blessings of peace; but shall make every preparation for war, and will be guarded against surprise. Mr. Power delivered me a letter from the Baron Carondelet, in which he states a variety of frivolous reasons for not delivering the posts, and begs that no more troops may be sent down the Mississippi before certain adjustments take place between our respective courts. I have put aside all his exceptions, and have called on him in the most solemn manner to fulfill the treaty, as he regards the interest or honor of his master; and have hopes that my letter may produce some change in the conduct of the Dons. * * Although Mr. Power has brought me this letter, it is possible it might be a mask to other purposes; I have, therefore, for his accommodation and safety put him in care of Captain Shaumburgh, who will see him safe to New Madrid, by the most direct route. I pray you to continue your vigilance, and give me all the information in your power. I am just from Michilimacinae, having visited that post to see it put into a state of defense."

On the 5th of December, 1797, Power wrote to Don Manuel Gayoso, Spanish governor at Natchez, a letter from which the following is an extract: "Having informed him [General Wilkinson] of the proposals of the baron [de Carondelet], he proceeded to tell me that it was a chimerical project, which it was impossible to execute; that the inhabitants of the western states having obtained by treaty all they desired would not wish to form any other political or commercial alliances; and that they had no motive for separating themselves from the interests of the other states of the Union, even if France and Spain should make them the most advantageous offers; that the fermentation which existed four years back is now appeased; that the depredations and vexations which American commerce suffered from the French priva-

teers had inspired them with an implacable hatred for their nation; that some of the Kentuckians had proposed to him to raise three thousand men to invade Louisiana, in case a war should be declared between the United States and Spain; that the latter had no other course to pursue, under the present circumstances, but to comply fully with the treaty." In this same letter Power said: "A great portion of the principal characters in Kentucky, Cumberland [Tennessee], and the northwest territory, have been instigators of the expedition of Genet and Clark against this province; consequently they are enemies of those who are [enemies] of the French; more than one-half of the rest are those who take the greatest interest in a more intimate union of the western states with us; and many of those who remain (as they are not desirous of gaining conquests over Spain, but only to preserve the limits and privileges marked in the treaty) will do what they can in order to avoid hostilities."

In a letter, written at Cincinnati, under the date of "June 3d, 1797," and addressed to Timothy Pickering, American secretary of state, Winthrop Sargent, secretary of the northwestern territory, said: "I seize the occasion to transcribe for you some paragraphs from a western letter. The Spaniards are reinforcing their upper posts on the Mississippi. General Howard, an Irishman, in quality of commander-in-chief, with upward of three hundred men, is arrived at St. Louis, and employed in erecting very formidable works. It likewise appears, through various channels, that they are inviting a great number of the Indians of the territory to cross the Mississippi; and, for this express purpose, Mr. Lorrómie, an officer in the pay of the crown, made a tour through all this country last fall; since which time several Indians have been sent on the same errand, and generally furnished with plenty of cash to defray their expenses. A large party of Delawares passed down on White river, about the 6th of May, on their way to the Spanish side, bearing the national flag of Spain, some of them from St. Louis. They [the Spaniards] have above the mouth of the Ohio, on the Mississippi, several row-galleys with cannon." [Vide History of Kentucky, by H. Marshall, i. 258, 283, 316; ii. 219, 250. History of Louisiana, by Barbe Marbois, 152, 162. Writings of Washington (edited by Jared Sparks), x. 355, 356, 360, 387; xii.

96. *Life of Washington*, by John Marshall, ii. 250, 257, 261, 270, 332, 334, 393, 410. *Wilkinson's Memoirs*. *American State Papers*—Miscellaneous, i. from p. 704 to p. 713, and from p. 922 to p. 939; ii. from p. 79 to p. 127. *American State Papers*—Foreign Relations, vol. i.; vol. ii. from p. 14 to p. 103.]

1798. In the beginning of the year 1798 the government of Spain seemed to expect that Great Britain would send an expedition from Canada, through the northwestern territory, against the province of Louisiana. To quiet the anxiety of Spain on this subject, and to protect the territory of the United States, President Adams, on the 4th of February, 1798, instructed General Wilkinson to employ all the force within his power—both militia and regulars, if necessary—to oppose the English or any other foreign nation “who should presume to attempt a violation of the territory of the United States by an expedition through it against their enemies.” During the summer of 1798 the Spaniards retired reluctantly from their posts within the territory of the United States. On the 5th of October, 1798, General Wilkinson established his headquarters at Loftus' Heights, where Fort Adams was soon afterward erected. This fort stood on the left bank of the river Mississippi, about six miles north of the thirty-first degree of north latitude.

1798. The memorable alien and sedition laws were passed by Congress in the summer of 1798, and each of these laws was limited to the time of two years from and after its passage. The first section of the act of June 25, concerning alien enemies, is comprised in the words following:

“Be it enacted, by the senate and house of representatives of the United States of America in Congress assembled, that it shall be lawful for the president of the United States, at any time during the continuance of this act, to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States within such time as shall be expressed in such order; which order shall be served on such alien by delivering him a copy thereof, or leaving the same at

his usual abode, and returned to the office of the secretary of state by the marshal or other person to whom the same shall be directed. And in case any alien so ordered to depart shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a license from the president to reside therein, or having obtained such license shall not have conformed thereto, every such alien shall on conviction thereof be imprisoned for a term not exceeding three years and shall never after be admitted to become a citizen of the United States: Provided, always, and be it further enacted, that if any alien so ordered to depart, shall prove to the satisfaction of the president, by evidence to be taken before such person or persons as the president shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the president may grant a license to such alien to remain within the United States for such time as he shall judge proper and at such place as he shall designate. And the president may also require of such alien to enter into a bond to the United States, in such penal sum as he may direct, with one or more sufficient sureties, to the satisfaction of the person authorized by the president to take the same, conditioned for the good behavior of such alien during his residence in the United States, and not violating his license, which license the president may revoke whenever he shall think proper."

The following is a copy of the second section of the sedition law, which was entitled "An act for the punishment of certain crimes against the United States." Approved on the 14th of July, 1798:

"And be it further enacted, that if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United States or either house of the Congress of the United States, or the president of the United States, with intent to defame the said government or either house of the said Congress or the president, or to bring them or either of them into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States; or to stir up sedition within the

United States; or to excite any unlawful combinations therein for opposing or resisting any law of the United States, or any act of the president of the United States done in pursuance of any such law, or the powers in him vested by the constitution of the United States; or to resist, oppose or defeat any such law or act; or to aid, encourage or abet any hostile design of any foreign nation against the United States, their people or government, then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years."

1798. The "Virginia resolutions of 1798" and the "Kentucky resolutions of 1799" are memorable acts, and were far-reaching in their influence in the political affairs of the United States. The Virginia resolutions of 1798 declare that the constitution of the United States is a "compact" "to which the states are parties;" that the powers of the general government "are limited by the plain sense and intention of the instrument constituting the compact," and, that, "in case of a deliberate, palpable and dangerous exercise of the other powers not granted by the said compact, the states, who are the parties thereto, have the right and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights and liberties appertaining to them." How the states are to exercise this high power of interposition, "is," said Mr. Calhoun, "a question that the states only are competent to determine." The same distinguished statesman said: "This right of interposition, thus solemnly asserted by the state of Virginia, be it called what it may, state right, veto, nullification, or by any other name, I conceive to be the fundamental principle of our system."

The Kentucky resolutions declare, substantially, that the several states "by compact, under the style and title of a constitution for the United States and of amendments thereto" "constituted a general government for special purposes, delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government; and that, whensoever the general government assumes undelegated powers

its acts are unauthoritative, void and of no force ; that to this compact each state acceded as a state, and is an integral party ; its co-states forming, as to itself, the other party ;" and, "that, as in all other cases of compact among parties having no common judge, each party has a right to judge for itself, as well of infractions as of the mode and measure of redress." [Vide Jefferson's Complete Works, ix. 464; Marshall's History of Kentucky, ii. 255; Butler's Kentucky, 285; Randall's Life of Jefferson, ii. 449; Calhoun's Works, vi. 75.]

1798. An act of Congress to suspend the commercial relations between the United States and France and the dependencies thereof, was approved on the 13th of June, 1798.

1798. An act of Congress to authorize the defense of the merchant vessels of the United States against French depredations, was approved on the 25th of June, 1798.

1798. An act of Congress authorizing the president of the United States to raise a provisional army, was approved on the 28th of July, 1798.

1798. The town of Steubenville, Ohio, was laid out.

1798. On the 2d of July, 1798, President John Adams sent to the senate of the United States a communication in which he nominated George Washington to the office of "lieutenant-general and commander-in-chief of the armies raised, or to be raised, for the service of the United States." On the next day the senate confirmed the nomination; and, on the 13th of July, Washington accepted the new commission.

1798. The following "law for the punishment of maiming or disfiguring" was adopted by the territorial legislative authorities, at Cincinnati, on the 1st of May, 1798: "Whosoever on purpose and of malice aforethought, by laying in wait, shall unlawfully cut out or disable the tongue, put out an eye, slit or bite the nose, ear, or lip, or cut off or disable any limb or member, with the intention, in so doing, to maim or disfigure such person, or shall voluntarily, maliciously, and of purpose, pull or put out an eye while fighting or otherwise, every such offender, his or her aiders, abet-

tors, and counselors, shall be sentenced to undergo a confinement in the jail of the county in which the offense is committed, for any time not less than one month nor more than six months, and shall also pay a fine not less than fifty dollars and not exceeding one thousand dollars—one-fourth of which shall be to the use of the territory, and three-fourths thereof to the use of the party grieved; and for want of the means of payment, the offender shall be sold to service by the court before which he is convicted for any time not exceeding five years, the purchaser finding him food and raiment during the term."

1798. By an act of Congress, approved April 7th, 1798, the territory of Mississippi was established. Winthrop Sargent was appointed governor of the territory.

1798. June, William Henry Harrison was appointed secretary of the territory of the United States northwest of the river Ohio.

1798. On the 29th day of October, 1798, Governor St. Clair issued a proclamation in which he directed the qualified voters of the northwestern territory to hold elections in their respective counties on the third Monday of December, and to elect representatives to a general assembly, which he ordered to convene at Cincinnati on the 22d day of January, 1799. The representatives met at Cincinnati, and, in order to establish a legislative council according to the provisions of the ordinance of 1787, nominated ten persons, whose names were sent to the president of the United States. Governor St. Clair then prorogued the meeting of the representatives to the 16th day of September, 1799. On the 2d of March, 1799, President Adams selected from the list of ten nominees, the names of Jacob Burnet, James Findlay, Henry Vanderburgh, Robert Oliver and David Vance, and nominated these persons to be the legislative council of the territory of the United States northwest of the river Ohio. On the next day the nomination was confirmed by the senate.

1799. A few members of the territorial legislature met at Cincinnati on the 16th of September, 1799, but the two houses were not properly organized until the 24th of September. Henry Vanderburgh was elected president of the legislative council. In the same

body, William C. Schenk was elected secretary; George Howard, doorkeeper, and Abner Cary, sergeant-at-arms. The names of the members of the house of representatives were as follows:

From the county of Hamilton—William Goforth, William McMillan, John Smith, John Ludlow, Robert Benham, Aaron Cadwell [or Caldwell], and Isaac Martin.

From the county of Ross—Thomas Worthington, Samuel Finley, Elias Langham and Edward Tiffin.

From the county of Wayne—Solomon Sibley, Charles F. Choibert de Joncaire and Jacob Visger.

From the county of Adams—Joseph Darlington and Nathaniel Massie.

From the county of Knox—Shadrach Bond.

From the county of Jefferson—James Pritchard.

From the county of Washington—Return Jonathan Meigs.

The house of representatives elected Edward Tiffin speaker; John Reilly, clerk; Joshua Rowland, doorkeeper, and Abraham Cary, sergeant-at-arms.

On the 25th of September, Governor St. Clair addressed the territorial legislature, and, after calling the attention of that body to various subjects, closed his message in the following words: "The providing for, and the regulating the lives and morals of the present and of the rising generation, for the repression of vice and immorality, and for the protection of virtue and innocence, for the security of property and the punishment of crimes, is a sublime employment. Every aid in my power will be afforded, and I hope we shall bear in mind that the character and deportment of the people and their happiness both here and hereafter depend very much upon the genius and spirit of their laws."

On the 3d of October, 1799, the territorial legislature elected a delegate to Congress from the northwestern territory. William H. Harrison, who was elected, received eleven votes; and Arthur St. Clair, Jr. (son of Governor St. Clair) received ten votes.

In the course of their session, which was terminated on the 19th of December, 1799, the legislative council and house of representatives passed forty-eight acts. Of these acts, Governor St. Clair approved thirty-seven, and vetoed eleven. Among these

eleven rejected acts there were six that related to the erection of new counties.

1799. On the 2d of December, 1799, the legislature of the territory of the United States northwest of the river Ohio passed an act which was designed to prevent Sabbath-breaking, profane swearing, drunkenness, dueling, cock-fighting, running horses on public highways, and gambling at billiards, cards, dice, shovel-board, etc. By an act approved on the 19th of December, 1799, the owners of land within the territory were taxed, for every hundred acres of first-rate land, eighty-five cents; for every hundred acres of second-rate land, sixty cents; for every hundred acres of third-rate land, twenty-five cents; and so in proportion for a greater or smaller quantity of land.

1799 The town of Zanesville, Ohio, was laid out.

1799. On the 30th of December, 1799, Charles Willing Byrd was nominated to the office of secretary of the territory of the United States northwest of the river Ohio, and on the next day the senate confirmed the nomination.

1799. December 22, Transylvania University was established at Lexington, Kentucky, by the union of the "Transylvania Seminary" and the "Kentucky Academy." [Collins.]

1799. December 19, the first legislature of the territory of the United States northwest of the river Ohio was prorogued by Governor St. Clair until the first Monday in November, 1800.

1799. Washington died at Mount Vernon, in Virginia, on the 14th of December, 1799. The following resolutions, written by General Henry Lee, and laid before the house of representatives on the 19th of December, by John Marshall, were unanimously adopted:

"The house of representatives of the United States, having received intelligence of the death of their highly valued fellow-citizen, George Washington, general of the armies of the United States, and sharing the universal grief this distressing event must produce, unanimously resolve:

"1. That this house will wait on the president of the United States in condolence of this national calamity.

"2. That the speaker's chair be shrouded with black, and that the members and officers of the house wear mourning during the session.

"3. That a joint committee of both houses be appointed to report measures suitable to the occasion and expressive of the profound sorrow with which Congress is penetrated on the loss of a citizen first in war, first in peace and first in the hearts of his countrymen.

"4. That when this house adjourns, it will adjourn until Monday next."

1800. An act of Congress to divide the territory of the United States northwest of the Ohio river, into "two separate governments," was approved on the 7th of May, 1800. The act declares "that from and after the fourth day of July next, all that part of the territory of the United States northwest of the Ohio river, which lies to the westward of a line beginning at the Ohio opposite to the mouth of Kentucky river and running thence to Fort Recovery and thence north until it shall intersect the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate territory, and be called the Indiana territory."

The memorable ordinance of Congress, of July 13, 1787, remained in force in both parts of the divided territory. The provisions of this ordinance did not, however, confer upon the people of the territories rights which authorized them to exercise any high duties of political power. The authority to appoint territorial governors, territorial secretaries and judges of the superior court of the territory, was vested in the president of the United States and the national senate. The organization of a territorial legislature or General Assembly depended upon the vote of a majority of the freeholders of the territory. Before the organization of such a legislature the governor and the judges of the territory, or a majority of them, were invested with power to adopt and publish such laws, civil and criminal, of the original states, as might be best suited to the circumstances of the people, but laws thus adopted and published were subject to the disapproval of Congress. A freehold estate, in five hundred acres of land, was one of the necessary quali-

fications of each member of the legislative council of the territory; every member of the territorial house of representatives was required to hold, in his own right, two hundred acres of land, and the privilege of voting for members of the house of representatives was restricted to those inhabitants who, in addition to other qualifications, owned severally at least fifty acres of land. The people of the territory were not authorized by the provisions of the ordinance of 1787, nor by any act of Congress, to choose officers of the territorial militia, nor to elect judges of any of the inferior courts of the territory, nor clerks of the courts, nor justices of the peace, nor sheriffs, nor coroners, nor county treasurers, nor county surveyors. The power of choosing all these officers was vested in the governor of the territory. He also was invested with authority to divide the territory into districts; to apportion, among the several counties, the members of the house of representatives; to prevent the passage of any territorial law, and to convene, prorogue and dissolve the General Assembly of the territory whenever, in his opinion, it might be deemed expedient to exercise such authority.

1800. On the 12th of May, 1800, William Henry Harrison was nominated for the office of governor of the Indiana territory, and, on the next day the senate of the United States confirmed the nomination.

1800. John Gibson was nominated and confirmed as secretary of the Indiana territory on the 14th of May, 1800. William Clark, Henry Vanderburgh and John Griffin were appointed judges for the territory.

1800. Early in the summer of 1800 the civilized population of the Indiana territory was estimated at four thousand eight hundred and seventy-five.

1800. In the presidential election of 1800, the electoral vote for Thomas Jefferson and Aaron Burr being equal, no choice was made by the people, and the house of representatives proceeded, on Wednesday, February 11, 1801, in the manner prescribed by the constitution, to the choice of a president of the United States. On the first ballot eight states voted for Thomas Jefferson, of Virginia, six states voted for Aaron Burr, of New York, and the

votes of two states were divided. The balloting continued until Tuesday, 17th February, 1801, when the thirty-fifth ballot, as had all the previous ballots, resulted the same as the first. The house then proceeded to the thirty-sixth ballot, and it having been concluded, the speaker declared that the votes of ten states had been given for Thomas Jefferson, of Virginia, the votes of four states for Aaron Burr, of New York, and the votes of two states in blank; and that, consequently, Thomas Jefferson, of Virginia, had been, agreeably to the constitution, elected president of the United States for the term of four years, commencing on the 4th day of March, 1801.

Thomas Jefferson, thus elected, took the oath of office and entered upon his duties on 4th of March, 1801.

Aaron Burr, as vice president, took the oath of office and entered upon his duties on 4th of March, 1801. [Hickey's Constitution, p. 318.]

1800. In the summer of 1800 the population of Louisville, Kentucky, was about six hundred.

1800. The seat of government of the United States was removed in the summer of 1800 to Washington City, in the District of Columbia. From the meeting of the Continental Congress in 1774 to 1800, the seats of the government of the Union were as follows: At Philadelphia, commencing September 5, 1774; at Baltimore, Maryland, commencing December 20, 1776; at Philadelphia, commencing March 4, 1777; at Lancaster, Pennsylvania, commencing September 27, 1777; at York, Pennsylvania, commencing September 30, 1777; at Philadelphia, commencing July 2, 1778; at Princeton, New Jersey, commencing June 30, 1783; at Annapolis, Maryland, commencing November 26, 1783; at Trenton, New Jersey, commencing November 1, 1784; at New York city, commencing January 11, 1785. [Homan's Cyclopaedia of Commerce, p. 1891.]

1800. About two hundred newspapers were published in the United States; seventeen were daily papers.

1800. The legislature of the territory of the United States northwest of the river Ohio met at Chillicothe on the first Mon-

day in November, 1800. By an act of Congress of May 7, 1800, Chillicothe was made the seat of government of the territory until removed to some other place by the legislature.

The hardy and courageous men and women who passed westward over the Allegheny mountains between the years 1765 and 1800 to lay the foundations of civilized settlements in a vast wilderness, will always occupy a remarkable position in the field of American history. They were not learned in letters, nor skillful in the practice of the mechanic arts. Specimens of their clothing, arms, agricultural implements and household furniture have been, in many instances, preserved till the present times, and are exhibited as curious and interesting memorials of early western manners and customs.

The early pioneer settlers of "the west" carried with them, severally, some contribution to the general store of pioneer knowledge. Some were good scouts and soldiers in times of Indian warfare. Some knew how to repair guns which had become useless. Some were good hunters, successful trappers, and skillful in the use of the rifle. Some were good "corner-men," whose services were very useful in the work of building log cabins. Some knew how to tan hides, dress deer skins, and make hunting-shirts and moccasins. Some could make canoes, and others knew how to build skiffs, keel boats, flat boats and barges. The arts of making sugar, salt and certain kinds of distilled liquors were known and practiced by western pioneer settlers. Plows, hoes, horseshoes, flax-brakes, spinning wheels, reels and looms were occasionally made with some degree of skill. In almost every family some one knew how to spin, and to weave woolen fabrics. Hominy blocks, corn-graters, hand-mills, tub-mills and horse-mills were made for the use of families. Pretty good sifters were made by punching small holes in deerskin parchment.

Among the pioneers there were persons who could manufacture churns, wooden buckets, wooden bowls, baskets and brooms. Every pioneer knew how to make hominy, johnny-cake, pone, hoe cake, ash cake, sassafras tea and spicewood tea. No pioneer was ignorant of certain rude methods of cultivating field crops and

garden vegetables. In a word, either by physical strength or moral courage, or the exercise of military talents, or the employment of skill in the practice of some useful art, or by the exemplary observance of Christian duties, the early western pioneers, as individuals, were able to contribute something either for the support, or for the defense, or for the comfort and convenience, or for the moral or religious improvement of the several settlements in which they lived.

The early western pioneer settlers were not, for many years, able to build churches nor to support regular religious worship. The forms of religious worship were not observed with much regularity by them ; yet they did not neglect the practice of Christian virtues. To the sick they gave personal attention, and to the poor and helpless among them they gave shelter and food and raiment, kindly and liberally, according to their means. They helped one another in the works of building cabins and block-houses, in clearing lands for cultivation, and in planting and gathering their annual crops. The most popular men among them were those who had led successful expeditions against hostile Indians, and those who were good scouts, those who were good hunters and trappers, and those who were strong or skillful at cabin-raising, log-rollings and rail-splittings. In the words of the Psalmist, "a man was famous according as he had lifted up axes upon the thick trees."

An early western pioneer, when he was well armed, carried a rifle, powder-horn, powder, bullets, bullet-moulds, lead, hunting-knife and tomahawk. Caps, or coverings for the head, were made out of the skins of foxes or other wild animals. Pantaloon were made either of coarse tow linen, or a mixture of wool and flax, or tanned deer-skins. Moccasins were in common use. The women, says Dr. Doddridge, "went barefooted in warm weather, and in cold their feet were covered with moccasins, coarse shoes, or shoe-packs. * * * Instead of the toilet they had to handle the distaff or shuttle, the sickle or weeding-hoe, content if they could obtain their linsey clothing and cover their heads with a sun-bonnet made of six or seven hundred linen."

Among the amusements, pastimes, sports and employments of the early western pioneers, were shooting at marks, hunting, fishing, trapping, running foot-races, hopping, jumping, wrestling,

pitching quoits, horse-racing, dancing, playing old plays, singing old ballads and merry-making at log-rollings, house-raisings, corn-huskings and quiltings.

The articles which they used for food included venison, the meat of wild turkeys, wild geese, wild ducks, wild pigeons, bears, raccoons, squirrels, fish, hominy, pone, corn boiled or roasted, mush and milk or mush and sweetened water, potatoes, pumpkins, squashes, beans, cabbages, onions, wild honey, wild grapes, wild plums, papaws, blackberries, walnuts, hickory nuts, chestnuts, hazel nuts, sassafras tea, spicewood tea, etc.

In a period of twenty-one years, commencing in 1774 and closing in 1794, there were fifteen years of war between the Indians and the western pioneers. Yet, in every pioneer settlement, during this time, there were some men who struggled to go onward in the rough and bloody path over which they were moving, and, with strong faith, looked on it as the only way through a wilderness of barbarism to a happy state of peace and prosperity. Such men were the leaders in the works of building the first rude school houses, organizing the first churches, opening the first farms, planting the first orchards, erecting the first mills, laying out the first towns, and establishing the first printing offices.

From the period of the discovery of America by Europeans to the present time, the unremitting efforts which have been made by Christians and philanthropists to reclaim the Indian tribes from a state of barbarism have been almost fruitless. In heathen lands the efforts of Christian missionaries have often been resisted, and sometimes wholly defeated, by obstacles which were based upon the adverse religious tenets and the political stratagems of rival Christian nations. For a period of one hundred and fifty years Protestant England and Catholic France were rivals in the great works of acquiring territory, planting colonies, and establishing trade among the Indian tribes of North America. Of the Christian missionaries of these two nations, very few, if any, were wholly free from the influence of the hostile rivalry that was brought into action and maintained by their respective governments.*

*In 1649 the British Parliament chartered "a corporation for converting the American Indians." [McPherson's Annals of Commerce, ii. 439.]

Among the number of reasons which were assigned for the planting of British colonies in New England there was one which declared that it would "be a service unto the church of great consequence to carry the gospel into those parts of the world and raise a bulwark against the kingdom of anti-Christ which the Jesuits labor to rear up in all parts of the world."* The Reverend Cotton Mather, in his *Ecclesiastical History of New England*, says, that, in the year 1696, an Indian chief informed a Christian minister of Boston that the French, while instructing the Indians in the Christian religion, told them that the Savior was of the French nation, "that they were the English who had murdered him; and that, whereas, he rose from the dead and went up to the heavens, all that would recommend themselves unto his favor must revenge his quarrel upon the English, as far as they can."†

Thus, in North America, throughout a long period, there was, between the early colonists of England and the early colonists of France, no true Christian sympathy—no lasting friendly intercourse—no long season of peace. Ever eager to advance the interests of their respective governments, the French and the English colonists, forming small and weak branches of Christian nations, and nourishing antagonistic creeds, hot animosities, bitter revilings and deadly warfare, were agitating, oppressing and defaming one another.

In the first message delivered by Governor Harrison to the first General Assembly of the Indiana territory, on the 30th of July, 1805, the following remarks appear:

"The interests of your constituents, the interests of the miserable Indians, and your own feelings, will sufficiently urge you to take it into your most serious consideration, and provide the remedy which is to save thousands of our fellow-creatures. You are witnesses to the abuses; you have seen our towns crowded with furious and drunken savages; our streets flowing with their blood; their arms and clothing bartered for the liquor that destroys them; and their miserable women and children enduring all the extremities of cold and hunger. So destructive has the progress of intem-

**Ecclesiastical History of New England*, by Rev. Cotton Mather, b. i. 65.

†*Id.* b. vii. art. xxii.; Adair's *History of the American Indians* (London, quarto ed.), p. 153.

perance been among them that whole villages have been swept away. A miserable remnant is all that remains to mark the names and situation of many numerous and warlike tribes. In the energetic language of one of their orators, it is a dreadful conflagration, which spreads misery and desolation through the country and threatens the annihilation of the whole race."

The character and the condition of the Miami Indians in the year 1817 were fairly described in a letter which was written in that year by Benjamin F. Stickney, an Indian agent in the service of the United States. The following passages are copied from this letter, which was dated, "Fort Wayne, August 27, 1817," and addressed to Thos. L. McKinney, superintendent of Indian affairs. The agent, Mr. Stickney, said: "I shall pay every attention to the subject of your letter, developing the exalted views of philanthropy of the Kentucky Baptist Society for propagating the gospel among the heathen. The civilization of the Indians is not a new subject to me. I have been between five and six years in the habit of daily and hourly intercourse with the Indians northwest of the Ohio, and the great question of the practicability of civilizing them ever before me. That I might have an opportunity of casting in my mite to the bettering of the condition of these uncultivated human beings, and the pleasure of observing the change that might be produced on them, were the principal inducements to my surrendering the comforts of civilized society.

"Upon my entering on my duties I soon found that my speculative opinions were not reducible to practice. What I had viewed at a distance as flying clouds proved, upon my nearer approach, to be impassable mountains. Notwithstanding these discouraging circumstances I am ready to aid your views by all proper means within my power, and in so doing, believe I embrace the views of the government of which I am agent. * * * It will be proper for me to be more particular and give you something of my ideas of the nature and extent of the obstacles to be met.

"First, the great and I fear insurmountable, obstacle is the insatiable thirst for intoxicating liquors that appears to be born with all the yellow-skin inhabitants of America, and the thirst for gain of [some of] the citizens of the United States appears to be capable of eluding all the vigilance of government to stop the distribution

of liquor among them. When the Indians can not obtain the means of intoxication within their own limits, they will travel any distance to obtain it. There is no fatigue, risk or expense that is too great to obtain it. In some cases it appears to be valued higher than life itself. If a change of habit in this can be effected, all other obstacles may yield. But if the whites can not be restrained from furnishing them with spiritous liquors, nor they from the use of them, I fear all other efforts to extend to them the benefits of civilization will prove fruitless. The knowledge of letters serves as a medium of entering into secret arrangements with the whites to supply the means of their own destruction, and within the limits of my intercourse the principal use of the knowledge of letters or civilized language has been to obtain liquor for themselves or others.

“Secondly, the general aversion to the habits, manners, customs and dress of civilized people; and in many cases an Indian is an object of jealousy for being acquainted with a civilized language, and it is made use of as a subject of reproach against him.

“Thirdly, general indolence, connected with a firm conviction that the life of a civilized man is that of slavery, and that savage life is manhood, ease and independence.

“Fourthly, the unfavorable light in which they view the character of the citizens of the United States, believing that their minds are so occupied in trade and speculation that they never act from other motives. * * * Their opinion of the government of the United States is in some degree more favorable, but secretly they view all white people as their enemies, and are extremely suspicious of everything coming from them.

“All the Miamis and Eel river Miamis are under my charge, about one thousand four hundred in number, and there are something more than two thousand Pottawattamies who come within my agency. The proportion of children can not be ascertained, but it must be less than among the white inhabitants of the United States. They have had no schools nor missionaries among them since the time of the French Jesuits. They have places that are commonly called villages, but perhaps not correctly, as they have no uniform place of residence. During the fall, winter and part of the spring they are scattered in the woods hunting. The respective bands assemble together in the spring at their several ordinary places of re-

sort, where some have rude cabins made of small logs covered with bark, but more commonly some poles stuck in the ground and tied together with pliant strips of bark, and covered with large sheets of bark or a kind of mats made of flags.

“Near these places of resort they plant some corn. There are eleven of these places of resort, called villages, within my agency. The Miamis and Eel river Miamis reside, principally on the Wabash, Mississinewa and Eel river, and the head of White river. The Pottawattamies [reside] on the Tippecanoe, Kankakee, Iroquois, Yellow river, St. Joseph of Lake Michigan, the Elkhart, Miami of the lake, the St. Joseph emptying into it, and the St. Mary’s river. They all believe in a God, as creator and governor, but have no idea of his will being communicated to man, except as it appears in the creation, or as it appears occasionally from his providential government. Some of them have been told of other communications having been made to the white people a long time since, and that it was written and printed; but they have neither conception nor belief in relation to it. Their belief in a future existence is a kind of transubstantiation—a removal from this existence to one more happy, with similar appetites and enjoyments. They talk of a bad spirit, but never express any apprehension of his troubling them in their future existence.”

“Man,” says the benevolent Chalmers, “having a right to the world from the gift of the beneficent Creator, must possess and use the general estate according to the grant which commanded him to multiply, and subsist by labor; and little would the earth have been peopled or cultivated had the men continued to live by hunting or fishing or the mere productions of nature. The roving of erratic tribes over wide extended deserts does not form a possession which excludes the subsequent occupancy of emigrants from countries overstocked with inhabitants. The paucity of their numbers and their mode of life render them unable to fulfill the great purposes of the grant. Consistent, therefore, with the great charter to mankind, they may be confined within certain limits. Their rights to the privileges of men, nevertheless, continue the same. And the colonists who conciliated the affections of the aborigines and gave a consideration for their territory have acquired the praise due to humanity and justice.”

*1800 - From Catholic permitted to hold
first man in the River - held in honor
of King's People - Dr. Chalmers*

1801. January 10, Governor Harrison issued a proclamation requiring the attendance of the territorial judges at Vincennes, the seat of government, for the purpose of adopting and publishing laws for the government of the Indiana territory. On the 12th of January the governor and judges of the territory met in session at Vincennes, and continued their sessions until January 26, when they adjourned, having adopted and published ten laws and resolutions.

1801. March 3, first general court of the Indiana territory began its session at Vincennes—William Clarke, Henry Vanderburgh and John Griffin, judges.

1801. The missionaries Kluge and Luckenbach, with twelve Christian Indians, made some unsuccessful efforts to establish a mission among the Delawares, on the borders of White river, in the Indiana territory.

1801. April 27, the first sea vessel from above Cincinnati passed down the river Ohio, April 27, 1801. "Anchored off this place [Cincinnati] on Monday afternoon the brig St. Clair, Commodore Whipple, commander, of one hundred tons burthen. She was built at Marietta, and is allowed by good judges to be well built and a handsome vessel. She is completely rigged and ready for sea. Her cargo is the produce of the country. She is bound for some of the West India Islands.

"On her arrival, the banks were crowded with people, all eager to view this pleasing prestige of the future greatness of our infant country. This is the first vessel which has descended the Ohio equipped for sea." [Western Spy and Hamilton Gazette, of April, 1801; Cist's Cincinnati (1841), p. 181.]

1802. Ohio, the first state formed out of the territory of the United States northwest of the river Ohio, adopted a constitution. "The territorial government was ended by the organization of the state government March 3, 1803, pursuant to the provisions of a constitution formed at Chillicothe, November 29, 1802." [Douglass' History of Wayne county, Ohio, p. 47.]

1803. Extract from the "Journal of a Tour by Thaddeus Mason, A. M.":

“PITTSBURG, PENNSYLVANIA, April 15, 1803.

“Dry goods in general are sold nearly as cheap as at Baltimore; other goods are, on account of the carriage, which is \$4.50 from Baltimore and \$5 per 100 lbs. from Philadelphia, proportionably higher. The merchants here, as well as those of the western country, receive their goods from Philadelphia and Baltimore, but a small part of the trade being given to New York and Alexandria, [Va.] The terms of credit are generally from nine to twelve months. The produce which they receive from the farmers is sent to New Orleans, the proceeds of which are remitted to the Atlantic states to meet their payments.

“Most of the articles of merchandise brought in wagons over the mountains in the summer season, and destined for the trade down the river [Ohio] are stored at this place to be ready for embarkation. With these a great many trading boats are laden which float down the river stopping at the towns on its banks to vend the articles. In a country so remote from commerce, and of so great extent, where each one resides on his own farm and has neither opportunity nor convenience for visiting a market, these trading boats contribute very much to the accommodation of life by bringing to every man's house those little necessities which it would be very troublesome to go a great distance to procure.”

1803. On the 30th of April, 1803, under the administration of President Jefferson, the immense province of Louisiana was purchased from France by the United States, for a sum amounting to about fifteen millions of dollars. It is erroneously stated in some popular historical works that Louisiana, at the time of its purchase, was bounded on the west by the Pacific ocean. There is no good authority in any law, treaty, or other official document, which supports the statement that the province of Louisiana, at any time, extended westwardly beyond the sources of the rivers which flow from the west into the Mississippi.

Mr. Jefferson, in a letter written in 1804, says:

“While I was in Europe I had purchased everything I could lay my hands on which related to any part of America, and particularly had a pretty full collection of the English, French and Spanish authors on the subject of Louisiana. The information

which I got from these was entirely satisfactory." [Jefferson's Works, vol. iv. p. 539.]

On the 31st of December, 1816, Mr. Jefferson said :

* * * "By the charter of Louis XIV. all the country comprehending the waters which flow into the Mississippi was made a part of Louisiana. Consequently its northern boundary was the summit of the highlands in which its northern waters rise. But by the tenth article of the treaty of Utrecht, France and England agreed to appoint commissioners to settle the boundary between their possessions in that quarter, and those commissioners settled it at the forty-ninth degree of latitude. * * * This it was that induced the British commissioners, in settling the boundary with us, to follow the northern water line to the Lake of the Woods, at the latitude of forty-nine degrees, and then go off on that parallel. This, then, is the true northern boundary of Louisiana. The western boundary of Louisiana is, rightfully, the Rio Bravo (its main stream) from its mouth to its source, and thence along the highlands and mountains dividing the waters of the Mississippi from those of the Pacific. * * * On the waters of the Pacific we can found no claim in right of Louisiana. If we claim that country at all, it must be on Astor's settlement near the mouth of Columbia, and the principles of the *jus gentium* of America, that when a civilized nation takes possession of the mouth of a river in a new country, that possession is considered as including all its waters." [Jefferson's Works, vol. vii. p. 51.]

Bancroft, in his History of the United States, says: "That Louisiana extended to the head spring of the Allegheny, and included the Laurel Ridge, the Great Meadows, and every brook that flowed to the Ohio, was, on the eve of the treaty of Utrecht, expressly asserted in the royal grant of the province." [Bancroft, iii. 347.]

The treaty by which Louisiana was purchased contained the following article :

"The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States; and in the meantime they shall be maintained

and protected in the free enjoyment of their liberty, property and the religion which they profess."

A letter written by President Jefferson, November 1, 1803, says:

"Our policy will be to form New Orleans and the country on both sides of it on the Gulf of Mexico, into a state; and as to all above that, to transplant our Indians into it, constituting them a *Marechaussee* to prevent emigrants crossing the river until we shall have filled up all the vacant country on this side." [Jefferson's Works, iv. 509.]

1804. By an act of Congress, approved on the 26th of March, 1804, that part of the territory of Louisiana which was situated west of the river Mississippi, and north of the thirty-third degree of north latitude, was, under the name of the district of Louisiana, attached to the territory of Indiana; and the governor and judges of this territory were invested with authority to exercise over the district of Louisiana powers similar to those which they were authorized to exercise for the maintenance of civil government in the territory of Indiana. In conformity with the provisions of this act of Congress, Governor Harrison and the judges of the Indiana territory, at a session begun at Vincennes, on the 1st of October, 1804, adopted and passed some laws for the government of the district of Louisiana. This district was, however, detached from the territory of Indiana under the provisions of an act of Congress, approved on the 3d of March, 1805.

1804. July 4, first newspaper printed in Indiana territory, issued at Vincennes, by Elihu Stout.

1804. By the authority of the government of the United States, an exploring expedition, under the command of Captain Meriwether Lewis and Lieutenant William Clark, set out from the place of rendezvous, near the mouth of the Missouri river, early in the spring of 1804. The expedition, consisting of forty-five men, furnished with boats and other necessary supplies, moved up the Missouri as far as latitude forty-seven degrees and twenty-one minutes north, and encamped for the winter in the vicinity of some Mandan villages, about 1610 miles from St. Louis. Early in April, the expedition moved onward beyond the sources of the Missouri

1804. First American Catholic Church erected in Boston.

river, crossed the Rocky Mountains, and arrived at the mouth of the Columbia river about the middle of November, 1805. The party passed the winter in a small fort which they erected at a point a few miles distant from the Pacific ocean. Early in March, 1806, the expedition moved from their winter quarters, recrossed the Rocky Mountains, descended the Missouri river, and arrived at St. Louis in September, 1806, after an absence of about two years and four months, having lost only one man. At a council which was held with the Rickarees, or Pawnees, who lived on the borders of the Missouri, above the region inhabited by the Sioux, the Indians refused a present of whisky. "Supposing that it was agreeable to them, as to the other Indians, we had at first offered them whisky; but they refused it with this sensible remark, that they were surprised that their father should present to them a liquor which would make them fools." [Lewis and Clark's Expedition, i, p. 140.]

1804. July 11th, Aaron Burr kills Alexander Hamilton in a duel at Hoboken. At the first fire Hamilton fell, mortally wounded, on the same spot where, a short time previously, his oldest son had been killed in a duel.

1805. In the Indiana territory, in 1805, the Shawanee Prophet, a brother of the Indian chief Tecumseh, told the Indians that commands of the Great Spirit required them to punish, with death, those who practised the arts of witchcraft and magic. He told them, also, that the Great Spirit had given him power to find out and expose such persons. The speeches of the Prophet aroused, among some bands of Indians, a high degree of superstitious excitement. An old Delaware chief, whose name was Tate-bock-o-She, through whose influence a treaty had been made with the Delawares in 1804, was accused of witchcraft, tried, condemned and tomahawked. His body was then consumed by fire, at the Indian village which stood within the present limits of Delaware county. At the same place, three Indians, one of whom was a woman, were tried for witchcraft, and condemned to death. The two men were burned at the stake; but the life of the woman was saved by her brother, who suddenly took her by the hand, and ex-

claimed: "The Evil Spirit has come among us, and we are killing each other."

1805. By an act of Congress of January 11, 1805, the territory of Indiana was divided, in order to establish the territory of Michigan, which was separated from the Indiana territory from and after the 30th of June, 1805. The Michigan territory was formed out of "all that part of the Indiana territory which lies north of a line drawn east from the southerly bend or extreme of Lake Michigan until it shall intersect Lake Erie, and east of line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States."

1805. During the course of the years 1805 and 1806, the movements of Aaron Burr, in the western and southern parts of the Union, created a considerable degree of popular excitement. In 1805 he visited Lexington, Louisville, Nashville, Natchez, New Orleans, St. Louis, and other towns in the west. He returned to Lexington and remained for some time at that place. In 1806 he made his second visit to the west, and in the month of August arrived at the residence of Harman Blennerhassett, on Blennerhassett's Island, in the river Ohio, about fourteen miles below the town of Marietta. At this place Burr passed a large portion of his time. It seems, from the Blennerhassett papers and from other authorities, that the object of Burr, at this time was three-fold:

"First. To ascertain the sentiments of the people of the west upon the subject of a separation from the Atlantic States. Secondly. To enlist recruits and make arrangements for a private expedition against Mexico and the Spanish provinces, in the event of a war between the United States and Spain. Thirdly. In the event of a failure of both of these measures, to purchase a tract of land of Baron Bastrop, lying in the territory of Louisiana, on the Washita river. Upon this he contemplated the establishment of a colony of intelligent and wealthy individuals, where he might rear around him a society remarkable for its refinement in civil and social life." [Blennerhassett Papers, p. 106.]

The movements of Burr attracted the attention of the national government. An attempt was made in Kentucky to convict him

of a "high misdemeanor, in organizing a military expedition against a friendly power, from within the territory and jurisdiction of the United States." On the 5th of December, 1806, the grand jury returned "not a true bill." On the 1st of December a messenger from the President of the United States "arrived at the seat of government of Ohio, and instantly procured the passage of a law by which ten of Colonel Burr's boats, laden with provisions and military stores, were seized on the Muskingum, before they could reach the Ohio. At the very moment that he appeared in court [in Kentucky] an armed force in his service occupied Blennerhassett's Island, and boats laden with provisions and military stores were commencing their voyage down the river, and passed Louisville on the 16th of December. Scarcely was the grand jury discharged, and the ball which celebrated his acquittal concluded, when the President's proclamation reached Kentucky, and a law was passed in hot haste for seizing the boats which had escaped the militia of Ohio, and were then descending the river. Burr had left Frankfort about the 7th [December, 1806,], and had gone to Nashville." [Collins' History of Kentucky.]

In February, 1807, he was arrested in the vicinity of Fort Stoddart, on the Tombigbee river, from which place of arrest he was taken to Richmond, Virginia, tried on an indictment for treason, and acquitted in September, 1807.

In a letter written by Waller Taylor to Governor Harrison, and dated, "Louisville, January 12, 1807," the writer says:

"I arrived at Jeffersonville on Saturday morning last, after an extremely disagreeable journey, occasioned by the badness of the roads, and the difficulty of making our stages of a night. The public mind at this place appears to be much agitated on account of Colonel Burr's mysterious movements. Conjectures are various about his intentions; but nothing certain has transpired to throw any light on his views. There is stationed at this place about two hundred militia, who examine all boats that descend the river. No discoveries have yet been made by them; and only two boats have yet been detained, which were built by Burr's direction at Jeffersonville or this place, and I am not certain which. A large drove of horses, said to be purchased for the expedition, will be seized to-day, by the civil authority of the State. It seems to me

that the precautions now taken are perfectly useless; because Burr, I believe, has got all the force he could raise from this State, and is, probably, before this time, at Natchez."

1807. Steamboats and steam navigation. Robert Fulton was the builder of the first one, which was called the North River, and was of eighteen-horse power. Her first trip was made between Albany and New York, in thirty-three hours. When making his experiment on the Hudson the uniform expression of all who referred to his wonderful achievement was that of ridicule and scorn. He was heard to remark, "Never did a single encouraging remark, a bright hope or a warm wish, cross my solitary path." [See 1812.]

1807. June 22d, the British ship-of-war Leopard attacked the frigate Chesapeake, commanded by Commodore Barron, a few leagues out from Hampton Roads. This unwarranted violence on the part of the English authorities led to other complications which precipitated the war of 1812.

1807. First annual conference of the Methodist Church in Ohio commenced its session in Chillicothe on the 14th of September.

1808. Some interesting statements in reference to the trade, commerce and industrial pursuits of the pioneer settlers about the upper borders of the river Ohio are copied from a Pittsburg publication, *The Navigator*, for 1808:

"This river [the Monongahela], like most others in this country, is accompanied with a considerable hill on each side, which sometimes approaches close to the banks, and again recedes, leaving spacious and rich bottoms, in which are generally found large sugar camps, each sugar tree producing, if well managed during the season, four pounds of excellent sugar, equal to the Musquevado, especially if it has time to ripen before used, and each pound is worth thirteen cents; thus a sugar camp containing five hundred trees produces two thousand pounds of sugar, worth two hundred and sixty dollars. The sugar season seldom lasts more than a month or six weeks, and a camp of this size can be attended by one man and three or four boys to carry the water, thus leaving a handsome salary for each during a season that very little else can

be done on a farm. The sugar season sometimes, however, is very precarious, owing to the irregularity of the breaking up of winter and the ushering in of spring. But it would certainly be provident in farmers to take care of their sugar trees, and rather than destroy a grove of fifty trees, plant an orchard of one thousand. In order to give a spur to this species of economy, our merchants ought not to receive a pound of sugar from over the mountains, and by this means give every encouragement for the use and consumption of sugar made at home. This would stimulate the farmer and reward the laborer. The policy of such a plan would be wise, and be the means of saving many thousands of dollars in the country, which are now sent out for sugars of different kinds. Indeed, I do not see why loaf and lump sugar could not be manufactured from our maple sugar as good as that produced from the West India cane."

The annexed excerpt is one of statistical and historic interest :

"The land being generally rich on the Monongahela, crops of wheat, rye, barley, oats, buckwheat, corn, potatoes, etc., are raised in great abundance ; flax and hemp are too much neglected. The Monongahela flour is celebrated in foreign markets for its superiority, and it generally sells for one dollar more per barrel in New Orleans than any other flour taken from this country to that market. The best and greatest quantity of rye whisky is made on this river. Peach and apple brandy, cider and cider-royal, are also made in great abundance.

"The mean velocity of the Monongahela is about two miles an hour, and from three to four miles when very high. The floods seldom rise above the common banks ; when they do, it is noticed as remarkable, and much mischief is done by the sweeping waters, as was the case in May, 1807, when the floods rose at Brownsville about thirty-seven feet above the common surface of the river. It is said that at least fifteen grist mills on and near the river, between Pittsburg and Morgantown, were carried off and destroyed during this fresh, and with them about five thousand bushels of wheat, rye and corn. Several mills were seen floating past Pittsburg in one day, out of which skiff-loads of wheat were taken by the citizens.

“The navigation of the Monongahela is pretty good in its mid-dling state of water, for pirogues, keels, canoes and skiffs from Pittsburg to Brownsville, and from thence to Morgantown, a distance of about one hundred miles above its mouth. Above this the navigation is frequently interrupted by rapids, but small craft may with difficulty go up as high as Clarksburg, about forty miles above Morgantown. The west branch of this river in high water is navigable for fifteen miles, and communicates with a southern branch of Little Kanawha, by a portage of eight or ten miles.

“It is matter of much importance that an easy and short portage could be had to connect the waters of the Potomac with those of the Monongahela. The head waters of Cheat and the Potomac come together within about thirty miles, to which portage, however, the navigation of both rivers is difficult, but might be rendered much better by clearing them out. Goods are at this time frequently boated up from Alexandria, Georgetown, etc., as high as Fort Cumberland, whence they are taken in wagons to Brownsville, a distance of about eighty miles. By this route it costs about two dollars and fifty cents per hundred pounds, from Alexandria to Brownsville, which is a saving of about two dollars and fifty cents in the one hundred pounds when brought all the way by land.

“The trade carried on between the lakes and the Ohio, by way of the Allegheny and its branches, is at this time [1808] very considerable, and must in a few years become of great importance. There are about four thousand or five thousand barrels, and sometimes more, of Onondago salt brought down to Pittsburg annually, worth per barrel nine dollars, making an average of about forty thousand dollars worth of traffic in this one article. Exclusive of the article of salt, there are an immense number of boards, shingles, and lumber of different kinds, floated down to Pittsburg and the country below on the Ohio. The quantity of boards and lumber that arrive yearly at Pittsburg, from the Allegheny, is supposed to be about three million feet, averaging about nine dollars per one thousand feet, amounting to twenty-seven thousand dollars; this, added to the amount of the salt, makes the handsome sum, in domestic trade, of sixty-seven thousand dollars.

“In return the keel boats ascend loaded with whisky, iron and castings, cider, apples, bacon, and many other articles of home production, and merchandise of foreign importation. As long as the water keeps good, that is, neither too high nor too low, boats are ascending and descending continually, making a trip up in about seventeen days and down in five days.

“It has been suggested that goods might be brought by water from New York to Pittsburg, by way of the lakes and this river, for three cents a pound, which is one-half less than is generally given from Philadelphia to Pittsburg. By this northern route, which would certainly be a very long and tedious one, there would be a portage of fifteen miles from Albany, on the Hudson or North river, to Schenectady, on the Mohawk, thence up that river and through Wood creek into lake Ontario, thence up Niagara river to the falls, thence ten miles around Niagara falls, thence by water up Erie lake to the town of Erie, thence fifteen miles portage to Waterford or Le Bœuf, thence down French creek and Allegheny river, making in all a land carriage of forty miles from New York to Pittsburg, a distance by this route of not less eight hundred and fifty miles.

“Among the natural advantages of the waters of the Allegheny, is Oil creek, which empties into that river about one hundred miles from Pittsburg. This creek issues from a spring on the top of which floats an oil similar to that called Barbadoes tar, and is found in such quantities that a person may gather several gallons a day. The oil is said to be very efficacious in rheumatic pains, rubbed on the parts affected. The troops sent to guard the western posts halted at this spring, collected some of the oil and bathed their joints with it; this gave them great relief from the rheumatic complaints with which they were afflicted. They also drank freely of the water, which operated on them as a gentle cathartic.

“This oil is called Seneca oil in Pittsburg, probably from its first having been discovered and used by a nation of Indians of that name.

“It is a wise plan in Nature to generally place an antidote where she has planted a poison. No climate, perhaps, is more subject to pains of the rheumatic kind than ours, arising from the

sudden transitions of heat to cold, and vice versa; and if it be true that the qualities of this oil are so effectual in the cures of diseases to which we are more or less subject, from the nature of our climate, it is equally true that Nature in her wisdom has not been unmindful of her general plan of providing a good for an evil in this particular instance.

“The principal articles constituting loading for the boats trading on the Ohio and Mississippi are flour, whisky, apples, cider, peach and apple brandy, iron and castings, tin and copper wares, glass, cabinet work, Windsor chairs, mill-stones, grind-stones, nails, etc.; and the principal articles brought up the Ohio in keel boats are cotton, lead, furs and peltry, and sometimes hemp and tobacco from Kentucky. This traffic is carried on briskly at this time, and no doubt a few years will greatly increase it, and much to the advantage of the adventurers.

“Exclusive of the trading boats, there are many loaded altogether with merchandise of foreign importation, destined to Kentucky, Tennessee, Ohio and the Territories. Many others are family boats, seeking places of settlement in these new countries, where their posterity may rest in safety, having plenty of all the necessities, and many of the luxuries of life; where their children’s children may enjoy the rich and prolific productions of the land, without an over degree of toil and labor; where the climate is mild and the air salubrious; where each man is a prince in his own kingdom, and may, without molestation, enjoy the frugal fare of his humble cot; where the clashing and terrific sounds of war are not heard; where tyrants that desolate the earth dwell not; where man, simple man, is left to the guidance of his own will, subject only to laws of his own making, fraught with mildness, operating equally just on all, and by all protected and willingly obeyed.”

1808. In 1808, *The Navigator*, published at Pittsburg, made the following estimates of the number of dwelling-houses at the towns mentioned, viz.: At Pittsburg, 500; at Steubenville, 100; at Charlestown, now Wellsburg, 80; at Wheeling, 115; at Marietta, 90; at the site of Fort Harmar, 30; at Zanesville, Ohio, 60; at Maysville, Kentucky, 70; at Lexington, 400; at Cincinnati, 400; at Chillicothe, 202; at Frankfort, Kentucky, 100; at Louis-

ville, 150; at St. Louis, 200; at Natchez, 300; at New Orleans, 1,200 to 1,400.

1809. A statement exhibiting the gross annual amount of expenditures in relation to the military establishments, from the 4th of March, 1789, to the end of the year 1809 (excluding the naval expenditures):

From March 4, 1789, to December 31, 1791	\$ 632,804 03
1792	1,103,038 47
1793	1,132,443 91
1794	2,589,097 59
1795	2,422,385 81
1796	1,246,327 82
1797	1,002,299 04
1798	1,939,692 39
1799	2,405,669 17
1800	2,517,409 99
1801	1,600,944 08
1802	1,179,148 25
1803	822,055 85
1804	875,923 93
1805	712,781 28
1806	1,224,355 35
1807	1,288,685 91
1808	2,900,834 40
1809	3,345,772 17

Total	\$30,941,669 47
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Total naval expenditures during the same period	\$23,645,979 08
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1809. Governor Harrison purchased from the Delawares, Miamis and Pottawattamies a large tract of country on both sides of the Wabash, and extending up the Wabash sixty miles above Vincennes.

1809. April 8, first meeting held at Vincennes for forming an agricultural society, General W. H. Harrison presiding.

1809. February 3, the act for dividing the Indiana Territory into separate governments was approved, to take effect from and after the 1st of March following. [Land Laws, p. 163.]

1810. On the 4th of July, four canoes passed the Wea village of Terre Haute, with four or five men in each. They were the Prophet's followers, and were apparently on their way to Vin-

cennes. A Wea chief hastened by land to Vincennes to warn General Harrison of the approach of these Indians. The governor, after waiting a short time for their arrival, dispatched a lieutenant of militia and eight men to see what had become of them. At a settlement about ten miles above Vincennes the lieutenant and his party learned that one canoe only had come down as far as that place, and that four Kickapoos had come in it, and had left their canoe and gone on a Sunday to the meeting of Shakers. The Indians returned on the evening of Sunday, and proceeded up the Wabash about half a mile, where they cut a hole in their canoe and left it, and in the night stole five horses. These Indians were all well armed, had no skins to trade with, nor did they profess to have any other business than to visit the Shakers. The people of the neighborhood from which the horses were taken were much alarmed, and collected together for their defense. They did not, however, pursue the Indians, as they were convinced that a large party were lying in ambush, ready to cut off the pursuers. It appeared to be part of the policy of the Prophet to send parties to steal horses, and if these parties were pursued, to kill the pursuers. This was one of the methods by which the Prophet expected to bring on a war.

1810. Tecumseh arrived at Vincennes, August 12, accompanied by about seventy-five chiefs and warriors.

1810.—Governor Harrison's Speech to the Prophet.

Notwithstanding the improper language you have used towards me, I will endeavor to open your eyes to your true interests. Notwithstanding what bad white men have told you, I am not your personal enemy. You ought to know this from the manner in which I received and treated you on your last visit to this place, although I must say that I believe you are an enemy to the seventeen fires, and that you have used the greatest exertions with other tribes to lead them astray; and in this you have in some measure succeeded, as I hear you are ready to raise the tomahawk against their father. Their father, notwithstanding his anger at their folly, is full of goodness, and is ready to receive into his arms those of his children who are willing to repent, acknowledge their fault, and ask for his forgiveness.

There is yet but very little harm done but what may easily be repaired. The chain of friendship which unites the whites with the Indians may be renewed, and be as strong as ever. A great deal of that work depends on you. The destiny of those who are under your direction depends upon the choice which you will make of the two roads which are before you. One is large, open and pleasant, and leads to peace, security and happiness. The other, on the contrary, is narrow, crooked, and leads to misery and ruin. Do not deceive yourself. Do not believe that all the Indians united are able to resist the force of the seventeen fires even for a moon.

I know your warriors are brave; ours are not less so. But can a few brave warriors stand against the innumerable warriors of the seventeen fires? Our blue coats are more numerous than you can count, and our hunting-shirts are like the leaves of the forest, or the grains of sand on the Wabash.

Do not think that the red coats can protect you; they are not able to protect themselves. They do not think of going to war with us. If they did, you would soon see our flags wave on all the forts of Canada.

What reason have you to complain of the seventeen fires? Have they taken anything from you? Have they ever violated the treaties made with the red men? You say they purchased land from those who had no right to sell. Show the truth of this, and the land will instantly be restored. Show us the rightful owners of those lands which have been purchased. Let them present themselves. The ears of your father will be open to their complaints, and if lands have been purchased from those who did not own them they will be restored to the rightful owners. I have full power to arrange this business, but if you would rather carry your complaints before your great father, the president, you shall be indulged. I will instantly take the means to send you to the city where your father lives, with three chiefs which you will choose. Everything necessary shall be prepared for your journey and means taken to insure your safe return.

[Translated from the French copy.]

[Signed,]

WM. H. HARRISON.

1810.—Tecumseh's Speech to Governor Harrison at Vincennes, August 20.

Brother: I wish you to listen to me well. I wish to reply to you more explicitly. As I think you do not clearly understand what I before said to you, I will explain it again. When we were first discovered, it was by the French, who told us that they would adopt us as their children, and gave us presents without asking anything in return but our considering them as our fathers. Since we have changed our fathers, we find it different.

Brother, this is the manner in which the treaty was made by us with the French. They gave us many presents, and treated us well. They asked us for a small piece of country to live on, which they were not to leave, and continue to treat us as their children. After some time the British and French came to quarrel. The British were victorious. Yet the French promised to think of us as their children, and if they ever could serve us, to do it. "Now, my red children, I know I was obliged to abandon you in disagreeable circumstances, but we have never ceased to look upon you, and if we could now be of any service to you we would still be your friends."

The next father we found was the British, who told us they would now be our fathers, and treat us in the same manner as our former father, the French; they would occupy the same they did, and not trouble us or ours, but would look on us as their children.

Brother, we were very glad to hear the British promise to treat us as our father, the French, had done. They began to treat us in the same way. But at last they changed their good treatment, by raising the tomahawk against the Americans, and put it into our hands, by which we have suffered the loss of a great many of our young men.

Brother, we now began to discover the treachery of the British. They never troubled us for our lands, but they have done worse, by inducing us to go to war. The Hurons have particularly suffered during the war, and have at length become certain of it. They have told us that we must bury the British tomahawk. That if we did not, they (the British) would ere long ask us to take it up.

You ought to know that after we agreed to bury the tomahawk at Greenville we found new fathers in the Americans, who told us

they would treat us well ; not like the British, who gave us but a small piece of pork every day.

I want, now, to remind you of the promises of the white people. You recollect that the time the Delawares lived near the white people, and satisfied with the promises of friendship, and remained in security ; yet one of their towns was surprised, and the men, women and children murdered.

The same promises were given to the Shawanees ; flags were given to them, and they were told by the Americans that they were the children of the Americans ; these flags will be a security to you ; if the white people intend to do you harm, hold up your flags, and no harm will be done you. This was at length practiced, and the consequence was that the persons bearing flags were murdered, with others, in their village.

Now, my brother, after this conduct, can you blame me for placing little confidence in the promises of our fathers, the Americans ?

Brother, since the peace was made you have killed some of the Shawanees, Winnebagos, Delawares and Miamis, and you have taken our lands from us, and I do not see how we can remain at peace with you if you continue to do so. You have given goods to the Kickapoos for the sale of their lands to you, which has been the cause of many deaths among them. You have promised us assistance, but I do not see that you have given us any.

You try to force the red people to do some injury. It is you that are pushing them on to do mischief. You endeavor to make distinctions. You wish to prevent the Indians to do as we wish them—to unite, and let them consider their land as the common property of the whole. You take tribes aside, and advise them not to come into the measure ; and until our design is accomplished, we do not wish to accept of your invitation to go and visit the president.

The reason I tell you this is : You want, by your distinctions of Indian tribes, in allotting to each a particular tract of land, to make them to war with each other. You never see an Indian come and endeavor to make the white people do so. You are continually driving the red people, when at last you will drive them into the great lake, when they can't either stand or work.

Brother, you ought to know what you are doing with the Indians. Perhaps it is by direction of the president to make these distinctions. It is a very bad thing, and we do not like it. Since my residence at Tippecanoe we have endeavored to level all distinctions; to destroy village chiefs, by whom all mischief is done. It is they who sell our lands to the Americans. Our object is to let all our affairs be transacted by warriors.

Brother, this land that was sold, and the goods that were given for it, was only done by a few. The treaty was afterwards brought here, and the Weas were induced to give their consent, because of their small numbers. The treaty at Fort Wayne was made through the threats of Winemac, but in future we are prepared to punish those chiefs who may come forward to propose to sell the lands. If you continue to purchase of them, it will produce war among the different tribes; and at last, I do not know what will be the consequences to the white people.

Brother, I was glad to hear your speech. You said that if we could show that the land was sold by people that had no right to sell, you would restore it. Those that did sell it did not own it. It was *me*. Those tribes set up a claim, but the tribes with me will not agree to their claim. If the land is not restored to us, you will soon see when we return to our homes how it will be settled. We shall have a great council, at which all the tribes shall be present, when we shall show to those who sold that they had no right to the claim they set up, and we will see what will be done with those chiefs that did sell the land to you. I am not alone in this determination. It is the determination of all the warriors and red people that listen to me.

I now wish you to listen to me. If you do not, it will appear as if you wished me to kill all the chiefs who sold the land. I tell you so because I am authorized by all the tribes to do so. I am at the head of them all. I am a warrior, and all the warriors will meet together in two or three moons from this. Then I will call for those chiefs who sold you the land, and shall know what to do with them. If you do not restore the land, you will have a hand in killing them.

Brother, do not believe that I came here to get presents from you. If you offer us any we will not take it. By taking goods

from you you will hereafter say that with them you purchased another piece of land from us. If we want anything we are able to buy it from your traders. Since the land was sold to you no traders come among us. I now wish you would clear all the roads, and let the traders come among us. Then perhaps some of our young men will occasionally call upon you to get their guns repaired. This is all the assistance we ask of you.

Brother, I should now be very glad to know immediately what is your determination about the land; also of the traders I have mentioned.

Brother, it has been the object of both myself and brother to prevent the land being sold. Should you not return the land, it will occasion us to call a great council that will meet at the Huron village, where the council fire has already been lighted, at which those who sold the land will be called, and shall suffer for their conduct.

Brother, I wish you would take pity on the red people, and do what I have requested. If you will not give up the land, and do cross the boundary of your present settlement, it will be very hard and produce great troubles among us. How can we have confidence in the white people? When Jesus Christ came upon the earth you killed him and nailed him upon a cross. You thought he was dead, but you were mistaken. You have Shakers among you, and you laugh and make light of their worship.

Everything I have said to you is the truth. The Great Spirit has inspired me, and I speak nothing but the truth to you. In two moons we shall assemble at the Huron village (addressing himself to the Weas and Pottawattomies) where the great belts of all the tribes are kept, and there settle our differences.

Brother: Now, brother, I hope you will confess that you ought not to have listened to those bad birds who bring you bad news. I have declared myself freely to you, and if you want any explanation from our town, send a man who can speak to us.

If you think proper to give us any presents, and we can be convinced that they are given through friendship alone, we will accept them. As we intend to hold our council near the Huron village, that is near the British, we may probably make them a visit. Should they offer us any presents of goods we will not take

them; but should they offer us powder and the tomahawk, we will take the powder and refuse the tomahawk.

I wish you, brother, to consider everything I have said as true, and that it is the sentiment of all the red people that listen to me.

By your giving goods to the Kickapoos you killed many. They were seized with the small-pox, of which many died.

The governor (Harrison) began to answer Tecumseh, and had proceeded for fifteen or twenty minutes; he was explaining the justice used by the United States towards the Indians, and what he said was explained to the Shawanees, but before it was explained to the Pottawattomies and Miamis, Tecumseh rose up, and a number of his young men, with their war clubs, tomahawks and spears. He spoke for some time with great vehemence and anger, which, when interpreted, appeared to be a contradiction of what the governor had said, asserting that the governor had stated what was not true.

The governor told him that, since he had behaved so badly, he would put out the council fire and not sit with him again.

1810. August 21. After some explanation, offered as an apology, by Tecumseh, the council this day met again, when Tecumseh addressed the governor as follows:

Brother: There are many white people among you who are not true Americans. They are endeavoring to fill the minds of the Indians with evil towards the United States, of which I shall now inform you. The person that informed me was a man of sense.

Brother, he said to us that when you first began to bring about the last treaty, you observed the greatest secrecy; after which you went to Fort Wayne, and there made the treaty equally secret, declaring that you did not think it necessary to call upon us; but that you were determined to confine us to a small piece of land; and that you would bring all the tribes who listened to me to abandon myself and the Prophet, and then you would know what to do with us.

Brother, this person came to our village shortly after the treaty at Fort Wayne, and said to us: "Sallo-wat-chi-ka (the Prophet) and you, Tecumseh, you may believe what I say to you.

It is not I alone who speaks to you ; I am the agent of a large party of white people who are your friends and will support you. They sent me here to inform you of everything that that man, the governor at Vincennes, is doing against you. But you must observe great secrecy, and by no means inform him of us, or I shall be hung. I was at the treaty of Fort Wayne, and I heard the governor say that the Prophet was a bad man, and that he would prevent traders from trading at his village ; or if they did so, they should sell their goods so high that the Indians could not purchase them, and consequently suffer."

Brother, this man further represented to us that you were yet to remain in office two years, and would be succeeded by a good man who was a friend to the Indians. That you would offer us goods (annuities), but by no means to accept them. That, in order to induce us to take them, you would offer us horses, with saddles and bridles plated with silver. That all the goods and even the provisions that you give to the Indians is with the intention to cheat them out of their lands. That it was the intention of the United States to push and oppress the Shawanees, and to push their settlements so near to them and oblige them to use the ax instead of the rifle ; therefore recommended us to take nothing from you.

Brother, another American told us lately at our village that you were about to assemble the Indians at Vincennes, for the purpose of making proposals for more land ; that you were placed here by the government to buy land when it was offered to you, but not to use persuasions and threats to obtain it.

Brother, this man told me that I must go to Vincennes and make my objections, and not be afraid to speak very loud to you ; that when you wanted land you were very smooth to the Indians, but at length became very boisterous.

Brother, after my hearing this so often, I could not help thinking otherwise than that you wished to sow discord amongst the Indians. I wish you, my brother, to let alone those distinctions you have always been endeavoring to establish among the Indians. It is doing them great injuries, by exciting jealousies among them. I am alone the acknowledged head of all the Indians.

Here the governor requested Tecumseh to state explicitly whether the surveyors who might be sent to survey the land would be interrupted by the Indians, and if the Kickapoos would receive their annuities that were here (at Vincennes), upon which Tecumseh replied :

Brother : When you speak of annuities to me, I look at the land, and pity the women and children. I am authorized to say that they will not receive them.

Brother, we want to save that piece of land. We do not wish you to take it. It is small enough for our purpose. If you do take it, you must blame yourself as the cause of trouble between us and the tribes who sold it to you. I want the present boundary line to continue. Should you cross it, I assure you it will be productive of bad consequences.

1810. In October, the governor sent Mr. McDonald to run the boundary line of the "New Purchase."

1810. The president and directors of the Vincennes Library were authorized to raise \$1,000 by lottery. [Act of 1800.]

1810. The territorial legislature petitioned Congress for permission to locate a certain quantity of the public lands, lying on the main fork of White river, for a permanent seat of government. Petition laid before Congress by Mr. Jennings, January 7, 1811.

1811. The first steamboat, called the New Orleans, left Pittsburg, in October, for Louisville, and was owned by Robert Fulton and Robert Livingston.

1811. An earthquake occurred in South Carolina and in the valley of the Mississippi. Between the mouths of the Ohio and St. Francis rivers the great valley was convulsed so as to create lakes and islands. Yawning chasms were produced in the ground, from which heavy columns of sand, water and coal were projected to the height of fifty and sixty feet. New Madrid, on the Mississippi river, suffered severely, the bluff bank upon which the town was situated having been lowered from fifteen to twenty feet, much of which the river has since washed away. The convulsion and

upheaval commenced about the 17th of December and continued to January.

1811. General Harrison defeated the Indians at Tippecanoe. He was then governor of the Indiana territory, and received instructions to proceed against them with a military force, the militia of the territory co-operating with the regulars, under the command of Colonel Boyd. At Tippecanoe he consulted with a number of the Prophet's messengers, on the 7th of November, and a delay of hostilities was negotiated until the next day, when another interview was proposed to be held between him and other of his chiefs. The vigilance of General Harrison was demonstrated, by preparing against *ruses* and surprises, his men being drawn up in order of battle and resting upon their arms. Faithless to the terms of the treaty, the savages made an assault just before the dawn, but only to be repulsed and terribly defeated.

1812. Fort Clark erected on the right bank of the Illinois river, by Brigadier General Howard.

1812. June 18, Congress passed an act declaring war against Great Britain. In the house the vote stood 79 yeas, 49 nays; in the senate 19 yeas, 13 nays.

1812. August 16, Fort Detroit was surrendered by Brigadier General William Hull to Major General Isaac Brock.

1812. August 13, the British sloop Alert was captured by the Hornet, under the command of Captain D. Porter.

1812. August 19, the British ship Guerriere was captured by the Constitution, commanded by Captain Isaac Hull.

1812. On the night of September 4, Fort Harrison, on the Wabash, defended by Captain Zach. Taylor, was attacked by the Indians.

1812. September 5, an assault was made by the Indians on Fort Madison, defended by Lieutenant T. Hamilton.

1812. October 9, the British vessels Caledonia and Detroit were captured by Lieutenant Jesse D. Elliot, near Black Rock.

1812. Columbus, Ohio, laid out in the spring of 1812, the

first sale of lots taking place June 18, of that year. Proprietors' names, Lyne Starling, James Johnson, John Kerr and Alexander McLaughlin.

1812. John Henry's secret mission from the British government to undermine the American Union exposed February 25. [World's Progress.]

1812. October 12, battle of Queenstown.

1812. August 15, massacre by Indians, near Chicago.

1812. October 25, the British ship Macedonian was captured by Commodore Decatur.

1812. Massacre of families at Pigeon Roost, Indiana territory.

1812. In a letter written at New York, on the 16th of April, 1812, Robert Fulton said: "My Paragon (a steamboat) beats everything on the globe; for, mad as you and I are, we can not tell what is in the moon. This day she came in from Albany, one hundred and sixty miles, in twenty-six hours, wind ahead."

1813. May 1, Proctor, with a force of one thousand regulars and militia and one thousand two hundred Indians, laid siege to Fort Meigs. On the 9th of May, at 10 o'clock A. M., the siege was raised.

1813. On the 5th of October occurred the memorable battle of the Thames, in which Tecumseh was slain. He was a chief of the Shawanee tribe, born near Chillicothe, Ohio, about 1770. At the time of his death he was a brigadier general in the British service.

1813. An act to remove the seat of government from the town of Vincennes to the town of Corydon, in the county of Harrison, approved March 11, by J. Gibson. "Be it enacted," etc., "that from and after the 1st day of May next [1813] the seat of government of the Indiana territory shall be and the same is hereby fixed and established in the town of Corydon, in the county of Harrison, there to remain until altered by law." [Original Document.]

1813. Territorial legislature of Indiana ordered to meet at Vincennes, February 15, by General John Gibson, acting governor.

1813. President Madison nominated Thomas Posey, a senator from Louisiana, February 27, to be governor of the Indiana territory, and on the 3d of March, 1813, the nomination was confirmed by the senate. [Official Document.]

1814. The Creek war was terminated March 27th by the decisive victory won by General Jackson at Tohopeka, who, at the head of 2,000 troops, captured the position of the enemy, and well nigh annihilated them.

1814. July 25th, the battle of Lundy's Lane was fought. The engagement was persistent and indecisive, the Americans being led by General Brown, and those of the British by General Drummond.

1814. Washington City, D. C., was founded 1790 by George Washington, first president of the United States, and became the seat of government in 1800. The British general, Ross, upon his entrance into the city, destroyed the capitol by fire, August 24. Not only the capitol and the president's house were consumed by the conflagration, but the troops did not even spare the national library.

1814. At the convention which began at Hartford, Conn., on the 15th of December, 1814, and adjourned *sine die* on the 5th of January, 1815, the following resolutions were passed:

First. Resolved, That it be, and hereby is, recommended to the legislatures of the several states represented in this convention, to adopt all such measures as may be necessary effectually to protect the citizens of said states from the operation and effects of all acts which have been or may be passed by the Congress of the United States, which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions or impressments, not authorized by the constitution of the United States.

Second. Resolved, That it be, and hereby is, recommended to the said legislatures to authorize an immediate and earnest application to be made to the government of the United States, requesting their consent to some arrangement whereby the said states may,

separately or in concert, be empowered to assume upon themselves the defense of their territory against the enemy; and a reasonable portion of the taxes collected within said states may be paid into the respective treasuries thereof, and appropriated to the payment of the balance due said states, and to the future defense of the same; the amount so paid into the said treasuries to be credited, and the disbursements made as aforesaid to be charged to the United States.

Third. Resolved, That it be, and hereby is, recommended to the legislatures of the aforesaid states to pass laws (where it has not already been done) authorizing the governors or commanders-in-chief of their militia to make detachments from the same, or to form voluntary corps, as shall be most convenient and conformable to their constitution, and to cause the same to be well armed, equipped and disciplined, and held in readiness for service; and, upon the request of the governor of either of the other states, to employ the whole of such detachment or corps, as well as the regular forces of the state, or such part thereof as may be required and can be spared consistently with the safety of the state, in assisting the state making such request to repel any invasion thereof which shall be made or attempted by the public enemy.

Fourth. Resolved, That the following amendments of the constitution of the United States recommended to the states represented as aforesaid, to be proposed by them for adoption by the state legislature, and in such cases as may be deemed expedient by a convention chosen by the people of each state. And it is further recommended that the said states shall persevere in their efforts to obtain such amendments until the same shall be effected:

1. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers of free persons, including those bound to serve for a term of years, and excluding Indians not taxed, and all other persons.

2. No new state shall be admitted into the Union by Congress, in virtue of the power granted by the constitution, without the concurrence of two-thirds of both houses.

3. Congress shall not have power to lay any embargo on the

ships or vessels of the citizens of the United States, in the ports or harbors thereof, for more than sixty days.

4. Congress shall not have power, without the concurrence of two-thirds of both houses, to interdict the commercial intercourse between the United States and any foreign nation, or the dependencies thereof.

5. Congress shall not make or declare war, or authorize acts of hostility against any foreign nation without the concurrence of two-thirds of both houses, except such acts of hostility be in defense of the territories of the United States when actually invaded.

6. No person who shall hereafter be naturalized shall be eligible as a member of the senate or house of representatives of the United States, nor capable of holding any civil office under the authority of the United States.

7. The same person shall not be elected president of the United States a second time, nor shall the president be elected from the same state two terms in succession.

Fifth. Resolved, That if the application of these states to the government of the United States, recommended in a foregoing resolution, should be unsuccessful, and peace should not be concluded, and the defense of these states should be neglected, as it has been since the commencement of the war, it will, in the opinion of this convention, be expedient for the legislatures of the several states to appoint delegates to another convention, to meet at Boston, in the state of Massachusetts, on the third Thursday of June next, with such powers and instructions as the exigency of a crisis so momentous may require.

Sixth. Resolved, That the Hon. George Cabot, the Hon. Chauncey Goodrich, and the Hon. Daniel Lyman, or any two of them, be authorized to call another meeting of this convention, to be holden in Boston, at any time before new delegates shall be chosen, as recommended in the above resolution, if in their judgment the situation of the country shall urgently require it.

MEMBERS OF THE HARTFORD CONVENTION.

FROM MASSACHUSETTS.

George Cabot, descendant of one of the Cabots, senator in Congress soon after the adoption of the constitution, native of Massachusetts.

Nathan Dane, member of Congress, author of Ordinance of 1787, lawyer.

William Prescott, son of Colonel Prescott, who commanded at the battle of Bunker Hill, lawyer.

Harrison Gray Otis, lawyer, born at Boston.

Timothy Bigelow, lawyer.

Joshua Thomas, judge of probate, in the county of Plymouth.

Samuel Sumner Wilde, lawyer, one of the judges of the supreme court of Massachusetts.

Joseph Lyman, lawyer.

Stephen Longfellow, Jr., lawyer.

Daniel Waldo, merchant of Worcester, and once member of state senate.

Hodijah Baylies, an officer of the revolutionary army.

George Bliss, lawyer.

FROM CONNECTICUT.

Chauncey Goodrich, lawyer, member of legislature of Connecticut, United States senate, and lieutenant governor.

John Treadwell, lawyer, member of legislature, lieutenant governor, judge of court of common pleas.

James Hillhouse, lawyer, representative and senator in Congress.

Zephaniah Swift, lawyer, member of legislature, representative in Congress, judge of supreme court of state.

Nathaniel Smith, lawyer, representative in Congress, judge of supreme court of state.

Calvin Goddard, lawyer, member of Congress, judge.

Roger Minot Sherman, lawyer, member of legislature.

FROM RHODE ISLAND.

Daniel Lyman, lawyer, revolutionary soldier, justice of supreme court of state.

Samuel Ward, son of Governor Ward, of Rhode Island, soldier of the revolution.

Edward Manton.

Benjamin Hazard, lawyer, member of legislature.

FROM NEW HAMPSHIRE.

Benjamin West, lawyer.

Mills Olcott, lawyer.

FROM VERMONT.

William Hall, Jr., merchant, member of legislature.

George Cabot was unanimously chosen president of the convention, and Theodore Dwight, of Hartford, was unanimously chosen secretary.

The convention was opened each morning by prayer.

1814. The treaty of peace between Great Britain and the United States was signed at Ghent, an old city of Belgium, De-

ember 24. On the part of the latter it was signed by J. Q. Adams, Albert Gallatin and Henry Clay.

1815. January 8, battle of New Orleans fought. "On the 7th the British commanders were vigorously preparing for attack. * * * Early on the morning of the 8th the American army was assailed by a shower of bullets and congreve rockets. The British army, under Generals Gibbs and Kean, the whole commanded by Sir Edward Packenham, had marched in two divisions to storm the American entrenchments. The batteries of General Jackson opened a brisk fire upon them, but the British soldiers advanced firmly, carrying fascines and scaling ladders. The keen and practiced eyes of the western marksmen were, as they advanced, selecting their victims. When the enemy were within reach of their rifles the advance line fired and each brought down his man. Those behind handed a second loaded rifle as soon as the first was discharged. The plain was soon strewn with the dead, the brave foe faltered and retreated in confusion. Sir Edward appeared among his men, encouraging them to renew the assault, when two balls struck him and he fell mortally wounded. A second time the British columns advanced, and a second time retreated before the deadly fire of the Americans. Again their thinned ranks were closed, and they moved forward with desperate resolution. Generals Kean and Gibbs were now both wounded and carried from the field, and their troops fell back. At this time General Lambert, who commanded the reserve, attempted to bring them up, but the day was irretrievably lost. [Emma Willard's History of the United States, pp. 355-6.]

1815. A declaration of war was made against Algiers on the 2d of March.

1815.—A New Method of Reducing Hostile Indians.

The United States Indian agent at Fort Wayne, Indiana [B. F. S.], in a letter dated October 1, 1815, and addressed to Hon. William H. Crawford, secretary of war, said:

"It is much cheaper reducing them [the Indians] by meat and bread than by the force of arms; and from the observations I have had the opportunity of making, that three or four months full

feeding on meat and bread, even without ardent spirits, will bring on disease, and, in six or eight months, great mortality. And would it be considered a proper mode of warfare? I believe more Indians might be killed with the expense of one hundred thousand dollars in this way than one million dollars expended in the support of armies to go against them." [Vide American S. P. Indian Affairs, ii, 34.]

A distinguished writer upon the subject of the right of the stronger race to seize, occupy and possess the public domain, says:

"As for the usurpation of territory from the aborigines by the United States, he must be a feeble moralist who regards that as an evil. The same principle upon which that usurpation is condemned would lead to the nonsensical opinion of the Brahmins, that agriculture is an unrighteous employment, because worms must sometimes be cut by the plowshare and the spade. It is the order of nature that beasts should give place to man, and among men the savage to the civilized. And nowhere has this order been carried into effect with so little violence as in North America."

"We shall find that the first voice publicly raised in America to dissolve all connection with Great Britain came, not from the Puritans of New England, or the Dutch of New York, or the planters of Virginia, but from the Scotch-Irish Presbyterians." [Bancroft, v. 77.]

1815. Commodore Decatur sailed from New York May 20, with three frigates, two sloops and four schooners, to engage the Barbary powers, and on June 28 he arrived off Algiers, seized two corsairs, and soon induced a respectful recognition of the American flag by the piratical states.

1815. In a letter to Thomas Jefferson, dated August 24, 1815, John Adams said that the Congress of 1774 resembled in some respects the council of Nice. "It assembled the priests from the east and the west, the north and the south, who compared notes, engaged in discussions and debates, and formed results by one vote and by two votes, which went out to the world as unanimous." [Adams' Works, x. 173.]

1815. A letter published before the year 1815, by Oliver Evans, of Pennsylvania, contains the following passages: "The time will come when people will travel *in stages moved by steam engines* at fifteen to twenty miles an hour. * * * A carriage will leave Washington in the morning, breakfast at Baltimore, dine at Philadelphia, and sup at New York on the same day. * * * Posterity will not be able to discover," says Mr. Evans, "why the legislature or Congress did not grant the inventor such protection as might have enabled him to put in operation these great improvements sooner, he having asked neither money nor monopoly of any existing thing."

Although Oliver Evans, hopefully gazing into the future far beyond the range of the mental vision of the public men who lived in his days, made this remarkable prediction, yet it is probable that he did not behold, even dimly, the wonderful power of steam, as it now appears, on the land and on the sea, in trade, in commerce, in manufactures and in the arts.

1816. Terre Haute surveyed into lots at the instance of Mr. Bullitt, of Kentucky, and some other gentlemen. [Schoolcraft.]

1816. The Weas and Kickapoos, at a council held at Fort Harrison, in the latter part of May and early part of June, 1816, ratified the terms of peace acknowledged in the treaty of Greenville, and relinquished their claims to certain tracts of lands on the borders of the Wabash and Vermillion rivers. [Niles.]

1817. March 3, the eastern part of the Mississippi territory was made a separate territory and called Alabama.

1817. First steamboat at St. Louis.

1817. During this year occurred the Seminole war, which was speedily extinguished by a large force under Jackson.

1817. A barge arrived at Lawrenceburg, Indiana, in ninety-seven days from New Orleans.

1817. John Adams, in a letter bearing date Quincy, January 3, 1817, and written to Hezekiah Niles, editor of Niles' Register, said:

"In plain English, and in a few words, Mr. Niles, I consider the true history of the American revolution and of the establishment of our present constitution as lost forever, and nothing but misrepresentation or partial accounts of it ever will be recovered."

He again says :

"Of all the speeches made in Congress, from 1774 to 1777, inclusive of both years, not one sentence remains, except a few periods of Dr. Witherspoon, printed in his works."

And again :

"It is a serious question whether I ought to bury my papers or burn them. You would not publish them, and if you should they would ruin the sale of your Register."

1818. General Arthur St. Clair died in Westmoreland county, Pennsylvania, August 30. [St. Clair papers.]

1818. General George R. Clark died in Jefferson county, Kentucky.

1818. Solomon Juneau, the first white settler in Milwaukie, a Canadian, who built a log cabin among the natives. [Wisconsin Historical Society.]

1819. The steamship known as the Savannah, three hundred and fifty tons, commanded by Captain Rogers, made the passage from New York to Liverpool, twice crossing the ocean. Asia as well as Europe was visited, the captain of the vessel receiving presents from the King of Sweden, the Sultan of Turkey and the Czar of Russia.

1819. First steamboat on the Missouri river.

1819. First steamboat on Lake Erie.

1819. Military posts established at Council Bluffs.

1819. Commodore Perry died August 23, of yellow fever, at Port Spain. He is popularly known as "the hero of Lake Erie."

1820. Daniel Boone died September 26. It was not until the middle of the eighteenth century that the white man penetrated the wilds of Kentucky. The savages of the north and south held

indisputable sway over its vast domain, the entire region being one great battle-field and hunting-ground. Its earliest explorers were Boone and Knox, the former, however, being recognized as "the first white man who made a permanent settlement within the limits of the present state of Kentucky."*

He was born February 11, 1735, in Bucks county, Pennsylvania, on the river Delaware, and descended from an English family whose home was in sweet Devonshire, whose rich slopes, sunny gardens and bright landscapes are the pride of the mother-land. When about the age of eighteen his father removed to North Carolina, taking his large family with him, and passing through Maryland and Virginia on their way thither. On his arrival he located near what was called the Yadkin river, where young Boone remained with him until his accession to sturdy manhood. By this time he had required considerable proficiency in marksmanship, and had become inhabited by a mania for the forest and stream. He had also acquired methods of self-reliance. He was, emphatically, a votary of the woods, and his cabin was pitched in their darkest and deepest recesses. The dense wilderness was his home, and his spirit chafed under all limitations and circumscriptions of boundary lines.

His society consisted in the utmost freedom from intrusion; for he was enamored of solitude and linked to loneliness. The perilous and adventurous life which he so early chose, educated him for the wonderful career mapped out for him. On the shores of the Yadkin he had already distinguished himself, but as the tide of population set in there, he prepared for another departure into newer and unexplored regions. Life was too tame, and possessed too much monotony and sameness for him in even partially settled communities. His wild, uncurbed soul ached and sighed for the bluff and gorge and the unmeasured areas of the pathless woods. Passing through a portion of the present state of Tennessee, and crossing the Cumberland mountains, his eyes rested, for the first time, on the country known as Kentucky. Indians hovered about and haunted him on either side. Before the lapse of many moons he was captured by them, December 22, 1769, but the wily

*Collins' Historical Sketches of Kentucky.

forest-monarch soon made his escape. After the expiration of about seven months, in March, 1771, and having encountered incredible perils, he concluded to return to North Carolina to see his family. Here he remained for some months making disposition of his effects, and consummating arrangements to remove, with his family, to his wilderness home.

September 25, 1771, he bade adieu to his friends and commenced his journey, soon, however, to be reinforced by five other families and a body of armed men to the number of thirty or forty, who were to accompany him. But a catastrophe soon transpired which hung a pall of gloom over the gallant little band. A considerable number of Indians assaulted them, near the Cumberland mountains, which were repulsed, yet not without grievous loss to Boone and his men, as six of his party were killed, including his oldest son, a lad of seventeen summers.

This pre-libation of death operated as a check to the adventurous phalanx. How did they know but that myriads of red-skins prowled on either side, in savage covenant, to destroy them? It was, therefore, resolved to retreat to Clinch river, Virginia, a distance of probably forty miles, where there was something of a settlement, and where they tarried until 1774. Lord Dunmore, of Virginia, now commissioned him to pilot a gang of surveyors through an unbroken depth of forest, a distance of eight hundred miles, to the falls of the Ohio river, the present site of Louisville. Moreover, at this juncture, he was of vital benefit to those who had distinguished themselves in the English service in the old French war, to whom grants of lands were issued, and into whose possession Lord Dunmore was about to place them. His description of these lands was unvarnished, plain and attractive, as he knew where they were located, and could tell how to proceed to get possession of them.

The choice of the government, in selecting Boone as one of its pioneers, was well-timed and wise, as no better selection could have been made. His courage and ability having won the confidence of Lord Dunmore, his excellency promoted him to a military position, having three distinct garrisons under his control. Says Collins: "At about the same period, he also, at the solicitation of several gentlemen of North Carolina, attended a treaty with the Chero-

kees, known as the treaty of Wataga, for the purchase of the lands south of the Kentucky river. It was in connection with this land purchase, and under the auspices of Colonel Richard Henderson, that Boone's second expedition to Kentucky was made. His business was to mark out a road for the pack-horses and wagons of Henderson's party. Leaving his family on Clinch river, he set out upon this hazardous undertaking, at the head of a few men, in the early part of the year 1775, and arrived, without any adventure worthy of note, on the 22d of March, in the same year, at a point within fifteen miles of the spot where Boonesborough was afterwards built. Here they were attacked by Indians, and it was not until after a severe contest, and loss on the part of the whites of four men in killed and wounded, that they were repulsed. * * * On the 1st of April they reached the southern bank of the Kentucky river, and began to build a fort, afterwards known as Boonesborough."

The battles and sieges in which, for a time, he participated, are startling and blood-curdling in their chilling revelation. The preservation of his life, on several occasions, by Simon Kenton, was never forgotten by the great pioneer.

His capture, with a small portion of his men, in January, 1778, at Blue Licks, whither they had gone to boil and evaporate salt, was a sad visitation upon the settlements and garrison. His captors, it may be remarked, treated him with leniency and kindness, for none than the Indians better knew that he was neither a cruel nor blood-thirsty man. With other prisoners, Boone was removed to Chillicothe (in Ohio now), at that time a quite populous Indian village. He was next transferred to the British fort at Detroit, where he was the recipient of much personal civility from General Hamilton, the commandant, and his subordinate officers. The general proposed to the Indians five hundred dollars for his ransom, but they abruptly refused it. At Detroit he remained for about a month, when his captors returned with him to the Indian settlements at Chillicothe. He now began planning for his escape, as he had succeeded admirably in winning the confidence of his captors, which he ultimately succeeded in achieving June 16, 1778, reaching the garrison, to the consternation of its inmates and his former comrades, with whom he had to apply the arts of argument

to establish his identity. The Indians, indignant at the escape of their famous prisoner, decreed that the only policy to adopt in conquering the white men was annihilation. They at once determined to pack and mass all their forces and assault the force at Boonesborough.

But the crafty old frontiersman had been a prisoner too long in their camp not to know something of their designs. He strengthened the fort at all points, and prepared for a stiff and stout defense. Siege was laid to it by the enemy. The force of Indians comprising the attack was commanded by Canadian officers, ingenious in the modes and ways of warfare. The British flag was floated and the garrison summoned to surrender. Boone desired a delay of two days in which to prepare his answer, which was conceded, at the termination of which he declined to comply with the terms of the demand. A proposition was then tendered to form a treaty, to which Boone assented, but which proved to be but a ruse or stratagem of the foe to seize him and the members of the fort who were with him. In this they were foiled, when the fort was attacked, and a destructive fire returned from the garrison. The assaults and the siege were alike unsuccessful, the siege lasting for thirteen days.

He again, in the autumn of this year, returned to North Carolina for his wife and family, who believed him to be dead, and in 1780 returned with them to Kentucky. In 1782 he was in the unfortunate encounter of Blue Licks, and subsequently accompanied General G. R. Clark in his movements against the Indian villages and settlements to avenge that disaster.

After embarrassments relative to land claims, having been victimized by highwaymen on the way to Richmond and robbed of twenty thousand dollars, paper money, which he intended to invest in land warrants, and "dissatisfied with the impediments to the acquisition of the soil, he left Kentucky, and in 1795* he was a wanderer on the banks of the Missouri, a voluntary subject of the king of Spain." [Collins.]

The Spanish throne was then presided over by Charles IV. When Boone reached St. Louis it was but a trading post. Choos-

*Authorities differ as to this date, some fixing the period of his departure to Missouri in 1797, instead of 1795.

ing for his abode the Femme Osage district, the Spanish authorities made him commander of the same. The lieutenant-governor of the territory made him a present of a tract of eight thousand five hundred acres of land lying on the north side of the Missouri river, but through carelessness he did not secure and confirm his title. In 1800 Louisiana passed over to France, and in 1803 it became, by proper purchase, a part of the United States; "so that Boone became a citizen again of his native country, having thus belonged in his life to four different nations—Great Britain, Spain, France and the United States."*

He died September 26, 1820, and was buried, as he requested, by the side of his wife, whose death occurred in 1813. After a period of twenty-five years their bodies were removed, taken to Kentucky and reinterred at Frankfort, September 15, 1845.

1820. Gas introduced into the United States at Baltimore.

1820. The site of Indianapolis selected for the seat of government.

1820. The building of Fort Snelling, at the junction of the Mississippi and Minnesota rivers, commenced.

1820. "As early as 1820, John B. Floyd, a member of Congress from Virginia, framed a bill and presented it to that body, 'favoring emigration to the country west of the Rocky mountains, not only from the United States, but from China.'" [M'Clellan's Golden State, p. 78.

1820. Before communications were opened between the eastern states and the Ohio valley by means of canals and railways, the somewhat famous Conestoga wagons, each drawn by six large Conestoga horses, carried merchandise from Philadelphia and from Baltimore to Pittsburg and to Wheeling. About the year 1820, a regular line of these wagons was established by a company of Philadelphia. It was called "The Regular Line to Pittsburg—through in fifteen days," and the public were notified that a team would leave Market and Twelfth streets, Philadelphia, every morning at eight o'clock.

* Hill's Life of Daniel Boone.

The class of *pack-horse men* among the pioneer settlers were opposed to the introduction and use of wagons, and the wagoners were generally unfriendly to the construction of canals and railways.

1820. Missouri Compromise passed, March 3.

1820. Indians in New England, 2,247; in New York, 5,184; north of the Ohio and east of the Mississippi, 47,783; in the southern states east of the Mississippi, 65,122. [Report of Rev. J. Morse to secretary of war.]

1820. Between 1811 and 1820 about one hundred and ninety-five banks in different parts of the Union became bankrupt, and it is said, in a report of the secretary of the treasury of the United States, dated May 12, 1820, that these failures, which mostly happened in 1814 and 1819, produced a state of distress so general and severe that few examples of the like had then occurred. [Encyclopedia Britannica, vol. iii., p. 339.]

1820. By a treaty concluded between Spain and the United States, October 24, 1820, Florida passed over to the American people, and became a part of the Union as a territory, under the general government. [Zell's Encyclopedia.]

1821. By the fourth census, the number of inhabitants in 1820 was found to be 9,625,734.

1821. March 7, President Monroe appointed General Jackson governor of Florida.

1821. A number of Spanish officers published in a newspaper sent out from Pensacola bitter criticisms on the new government. Jackson issued a proclamation which banished them from the territory after five days.

1822. In 1822 Boston received a city charter. Population of city since 1722 as follows:

1722	10,567
1742	16,382
1790	18,038
1800	24,937
1820	43,298

tle, so early as the middle of the seventeenth century; but they were made of wood and were used for transporting coals a moderate distance from the pits to the place of shipping. They are thus mentioned in 1676:

“The manner of the carriage is by laying rails of timber from the colliery to the river, exactly straight and parallel; and bulky carts are made with four rollers fitting these rails, whereby the carriage is so easy that one horse will draw down four or five chaldrons of coals, and is an immense benefit to the coal merchants.” [Life of Lord-Keeper North.]

1824. Lafayette, the companion-in-arms of Washington during the struggle of the revolution, landed at New York, August 15, from France. He was enthusiastically welcomed, and exchanged hearty congratulations with many who were with him in the war of independence and had experienced the hardships of camp and field. War-battered veterans, comrades in the blood-strifes of freedom, received him with a joy that is born of tears. The universal voice proclaimed him the nation's guest; at the fiftieth anniversary of the first conflict of the revolution, at Bunker Hill, he rekindled the fires of his patriotism; at Yorktown he celebrated its ultimate triumph; bade a last farewell to the four ex-presidents; received a valedictory compliment from J. Q. Adams, the chief magistrate, and departed from the capital of the nation to France, September 25, 1825, in a new frigate named the *Brandywine*, designed to commemorate the battle in which he was wounded. Congress granted him two hundred thousand dollars and a township of land as a recognition of his patriotic services.

1825. The Erie canal, in the state of New York, was finished. Its length is three hundred and sixty-three miles, and cost over five million dollars.

“Its earliest advocate was Jesse Hawley, who, in a series of articles, published in 1807-8, signed ‘Hercules,’ set forth the feasibility and great importance of such a connection of the waters of lake Erie and Hudson river. His views were warmly seconded by Gouverneur Morris, Dewitt Clinton and a few others, and its final accomplishment was the result, chiefly, of the untiring efforts,

privately and officially, of the latter gentleman while a member of the legislature and governor of the state of New York.”*

1825. The Ohio canal, extending from Cleveland to Portsmouth, three hundred and seven miles, begun in 1825 and finished in 1832.

1826. Kenyon college, Knox county, Ohio, founded.

1826. Simultaneous deaths of ex-presidents John Adams and Thomas Jefferson.

1826. The American temperance society organized upon the basis of total abstinence.

1827. The Quincy, Massachusetts, Granite railroad, the oldest railroad in the United States, three miles long, completed at the above place.

1828. The tariff law, passed on the 15th of May, was denounced in some sections of the country as oppressive and unconstitutional.

1829. On the 12th of January, 1829, the legislature of Missouri passed the following joint resolution :

“ WHEREAS, The example of men high in office has a great influence over the habits and customs of the community ; therefore, be it

“ *Resolved*, By the General Assembly of the State of Missouri, as follows :

“ The governor, lieutenant-governor, secretary of state, auditor of public accounts, state treasurer, judges of the different courts, the attorney-general and members of the General Assembly, be requested to dress in clothing the growth and manufacture of this state.”

1829. May 29, Chesapeake and Ohio Canal commenced.

1829. Chesapeake and Delaware Canal opened.

1830. First passenger railroad opened on the Baltimore and Ohio line, from Baltimore to Ellicott's Mills, thirteen miles.

*Lossing's History of the United States.

1830. In his first annual message (December, 1829), Jackson took strong ground against the renewal of the charter of the United States bank, on the ground that it had failed in the great end of establishing a uniform and sound currency, and that such an institution was not authorized by the national constitution. He again attacked the bank in his annual message of 1830. [Lossing's United States.]

1831. Slave insurrection in Southampton, Virginia, in August. On the 30th of October, Nat Turner, the leader of the conspiracy, was apprehended, and on the 11th of November was executed.

1832. First steamboat at Chicago.

1832. Great flood in the Ohio river, February 10. Water sixty-five feet above low water mark.

1832. At Quebec, Canada, June 8, cholera made its appearance, and on the 27th in New York City.

1832. President Jackson vetoed the measure re-chartering the United States bank, July 10.

1832. Black Hawk war inaugurated. An attack was made by this fiery Sac chief, in April, upon the frontier settlers of Illinois. The tribes composing the aggressive party occupied territory within the limits of the present state of Wisconsin. General Atkinson, with United States troops and some Illinois militia, drove them finally to the sunset side of "The Father of Floods." This predatory chief was captured in August, 1832.

1832. November 19, a state convention assembled in South Carolina, declaring the tariff acts unconstitutional, and, therefore, null and void; resolving that duties should not be paid, and announcing its determination to withdraw from the Union and resist the general government by force of arms, if necessary, if an attempt were made to compel their collection.

1832. December 10, President Jackson issued his proclamation antagonizing "the right of a state to nullify any act of the national government."

1832. Charles Carroll, of Carrollton, the last surviving signer of the Declaration of Independence, died at Baltimore on the 14th of November, in the ninety-sixth year of his age.

1833.—Grand Meteoric Phenomenon—Falling Stars.

The most remarkable display of those luminous and fiery bodies which appear suddenly and at uncertain times in the atmosphere, darting across the sky in wild directions and rapidly vanishing from sight, occurred about November 13. The phenomenon appeared about 9 P. M. and continued until the following morning. The spectacle is represented as that of sky-rockets, phosphoric lines and fire-balls, some as large as the full moon. In Ohio, an authority says, one was seen in the shape of a pruning-hook, twenty feet long and one and a half wide, for an hour. This meteoric exhibition was the most magnificent of any on record.

1833. In October the deposits (nearly ten million dollars) of the United States bank were removed to various other banks by Roger B. Taney, the successor of William J. Duane, secretary of the treasury, who had refused compliance to the executive mandate, and was dismissed from office.

1834. General Lafayette died at Paris, May 20.

1834. Chief Justice John Marshall died in Philadelphia, July 6.

1834. A total eclipse of the sun in South Carolina, Georgia and Mississippi.

1834. President Jackson dispatched General Wiley Thompson to Florida to prepare for a forcible removal of the Seminoles.

1835. The Seminole Indians, during this year, inaugurated bloody raids, under the guidance of Micanopy and their leading chief Osceola, against the frontier inhabitants of Florida, the cause of the violence resulting from measures projected to remove them beyond the Mississippi.

1835. A detachment of troops under Major Dade and Captains Frazer and Gardner, eight officers and one hundred and two non-

commissioned officers and privates, were attacked December 28, near Wahoo swamp, between Tampa bay and camp King, by Seminole Indians, and all slaughtered, save less than a dozen privates.

1836.—Simon Kenton.

“In April, 1836, in sight of the place where the Indians, fifty-eight years before, proposed to torture him to death, he breathed his last.” He was a native of Fauquier county, Virginia, where he was born May 15, 1755. Like Boone, in his earlier years he inclined to the life and habits of the backwoodsman, and had many extraordinary exploits with the Indians. In 1774, when Lord Dunmore raised an army to pursue and punish them, he joined his command and received employment as a spy. In 1775 he settled in what is now Mason county, Kentucky, near the present town of Washington.

Being brave as well as prudent, his services were soon called into requisition, serving as a pilot for Major Clark and others. He was an excellent rifle-shot, and by the quick and ready use of his gun often saved his own life as well as those of his companions. In 1778 he engaged with Clark in a successful expedition against Kaskaskia. He was made a prisoner in one of his marauding, horse-capturing raids and held in custody for eight months.

“He was eight times compelled to run the gauntlet, three times tied to the stake, once brought to the brink of the grave by a blow from an axe, and throughout the whole time, with brief intervals, subjected to great hardship and privations. Once his old friend, Simon Girty, the infamous hater of his race, interposed and saved him for a short space from the flames. Being again condemned to the stake, in spite of the influence of Girty, Logan, the celebrated Mingo (whose wrongs had not obliterated the nobility of his nature), exerted his influence in his behalf, and prevailed upon a Canadian trader, named Druyer, to purchase him from his owners. Druyer succeeded in obtaining him as a prisoner of war, upon a promise of returning him, which he, of course, never intended to fulfill. Kenton was now taken by his new friend and delivered over to the British commander at Detroit. Here he remained working for the garrison, on half pay, until the summer

of 1779, when he effected his escape, by the assistance of Mrs. Harvey, the wife of an Indian trader."

With his two companions in adventure, Bullitt and Coffey, after thirty-three days of travel and suffering, he landed safely at Louisville, about July, 1779, where he remained but a short time, as supineness, or absence of occupation, made him miserable. He proceeded to Vincennes, without much delay, to once more enjoy the presence and companionship of his esteemed soldier-comrade, Major Clark, thence to Harrod's station, where tried boon companions received him with exhibitions of joy.

He subsequently joined Clark in his expedition against the Indians, and was present when Chillicothe, Pickaway and other Indian villages were destroyed. (Says Collins, the first invasion of Ohio by Kentuckians in any force.) He also accompanied Clark in his campaign, in the autumn of 1782, against the Indians to avenge the catastrophe of Blue Licks. In this instance he also had command of a company, yet acted in the capacity of scout and spy, as he well knew the sinuosities and secrets of the woods.

He engaged in many other sanguinary conflicts with the Indians, and was a party to the more violent engagements that, after twenty years, emancipated his beloved Kentucky from the irruptions and terrors of the red man. Sustaining the rank of major when General Wayne, in 1793, was organizing his expedition, he joined that officer with his command, and went to Greenville. His reputation, now widespread and universal, as a spy, scout, pilot, backwoodsman and fearless soldier, secured for him great prominence among that array of daring hunters of which that victorious army was constituted.

Finally, after being swindled out of his lands and harassed, badgered, baffled and beggared by bailiffs and litigations, he removed to Urbana, Ohio, in 1802, where he remained until 1820, when he removed to the head waters of Mad river, Logan county, Ohio, "in sight of Wapatomika, where he had been tied to the stake by the Indians when a prisoner in their hands. Here he was harassed," we are told, "by judgments and executions from Kentucky, and to prevent being driven from his cabin by his white *brethren* (as formerly by the savages) to the forest for a shelter, he was compelled to have some land entered in the name of

his wife and children. He still had many tracts of mountain land in Kentucky, of little value, which, however, were forfeited to the state for taxes.

"In 1824, then seventy years of age, he undertook a journey to Frankfort, in tattered garments and on a sorry horse, to endeavor to get the legislature, then in session, to release the claim of the state on his mountain lands." In this he was successful, and a pension of two hundred and forty dollars per year secured him for support in his declining years. The same authority says further: "His body was taken for debt upon the covenants in deeds to lands, which he had, in effect, given away, and for twelve months he was imprisoned upon the very spot where he first built his cabin in 1775." Verily, indeed, did he drink of the waters of disappointment and sip of the chalice of bitterness and woe.

"We can easily see how unfit for civilized life were Boone and Kenton, suddenly transposed from an almost primitive and savage state of society, unsophisticated and simple-minded as they were. The great questions of property regulated by law, and liberty regulated by policy, in their profound mysteries, were to them as sealed books—they had not studied them; but for more than twenty years, battling with the savages and enduring bitter privations, with constant and necessary activity, they lived in the free wilderness, where action was unfettered by law and where property was not controlled by form and technicality, but rested on the natural and broader foundations of justice and convenience. They knew how to beat back the invader of their soil, or repel the aggression of the private wrong-doer; they knew how to bear down a foe in the open field, or circumvent him by stratagem, or destroy him by ambush. But they knew not how to swindle a neighbor out of his acres by declaration, demurrer, plea and replication, and all the scientific pomp of chicanery; they knew not how *damages* could salve a private injury or personal wrong, or how the verdict of a jury could remove the poison from the tongue of the slanderer, or medicine the incurable wounds inflicted by the seducer." [Collins.]

1836. Birney's press, Cincinnati, destroyed by a mob, July 30.

1837. After some severe encounters with the United States

troops, several chiefs appeared in the camp of General Jessup (who was then in supreme command), at Fort Dade, and on the 6th of March, 1837, they signed a treaty which guaranteed immediate peace and the instant departure of the Indians to their new homes beyond the Mississippi. But the lull was temporary. The restless Osceola caused the treaty to be broken, and during the summer of 1837 many more soldiers perished in the swamp while pursuing the Indians. At length Osceola, with several chiefs and seventy warriors, appeared October 21, in Jessup's camp under the protection of a flag. They were seized and confined, and soon afterward the brave chief was sent to Charleston, where he died of a fever while immured in Fort Moultrie. [Lossing's History of the United States.]

1837. Broad street riot in Boston, June 11.

1837. Sioux treaty to go west of the Mississippi.

1837. The Papineau rebellion commenced at Montreal, December 6, the movement being an energetic effort to secure independence and nationality to the people of the Canadas, a scheme which enlisted much American sympathy. The Canadian insurgents came to an engagement at St. Eustace, December 14, following. They surrounded Toronto, and were repulsed by the governor, Sir Francis Head, January 5, 1838; Lord Dunham, governor general, January 16, 1838. Lount and Mathews hanged as traitors, April 12, 1838. Lord Dunham resigned October 9, 1838. Rebellion again manifested itself in Beauharnais, November 3, 1838. The insurgents concentrated at Napierville under command of Nelson and others, November 6; some skirmishes took place, and they were routed with the loss of many killed and several hundred prisoners. Sir John Colborne announced the suppression of the rebellion in his dispatches, dated November 17, 1838. Lord Gosford, governor of Lower Canada, proclaimed marshal law, and a reward of one thousand pounds for Papineau, December 5, 1837. McLeod (charged with the destruction of the *Caroline*, an American steamer, at Schlosser, December, 1837), acquitted at Utica, October 12, 1841. President Van Buren's proclamation warning citizens of the United States against meddling with the Canadian

insurrection. Sir Charles Metcalfe, governor general, 1844. Earl of Elgin appointed governor general, took the oath January 30, 1847. Riots at Montréal, and burning of the parliament house by a mob (caused by the dissatisfaction about the act for paying losses by the late rebellion to some of the rebels themselves), August 15, 1849. Movements in favor of annexation to the United States. Warning against such movements as high treason, proclaimed in the dispatch of Earl Grey, the British colonial secretary, February, 1850. [World's Progress.]

1837. Alton riots, November 7. Rev. E. P. Lovejoy's press destroyed a third time; himself and one of the rioters killed.

1837. Texan independence recognized by the United States, and three years afterward by England, France and Belgium.

1837. Patent granted to S. F. B. Morse for the magnetic telegraph.

1838. The exploring expedition under Wilkes sailed from Hampton roads, in August.

1838. General Winfield Scott was sent to Georgia with several thousand troops to remove the Cherokee Indians peaceably or forcibly, as the case might be; through his kindness and conciliatory course, they were prevailed upon to migrate.

1838. Van Rensselaer arrested at the suit of the United States for his invasion of Canada and joining the revolters.

1839. Disputes arising in reference to the boundary between the state of Maine and the British province of New Brunswick, and a hostile feeling apparently maturing to develop itself in a resort to arms by the two countries, in 1839, the president ordered General Scott to the scene of the controversy, and by the exercise of guarded action and a judicious conciliating policy, he restored order and avoided bloodshed.

1839. Mormons settled at Nauvoo, Illinois, and erected some fine buildings. In June, 1844, in consequence of a riot, Joe Smith and his brother, Hiram, were arrested and put in prison, but an infuriated mob demolished the doors of the prison and shot

them both. Subsequent to their abandonment of the state, in 1846, this property was occupied by a colony of French communists, or Icarians, under the direction of Mons. Cabet.

1840. Antarctic continent discovered by the United States exploring expedition, and coasted for one thousand seven hundred miles, January 19.

1840. A violent and destructive tornado swept over Natchez, May 7. Estimated loss, one million five hundred thousand dollars; three hundred and seventeen killed.

1840. The census of this year gave the population of the United States 17,068,666.

1840. Congress passed the sub-treasury law.

1841. The sub-treasury act was repealed August 6.

1841. Bankrupt law was enacted August 18.

1841. Old United States bank failed, involving great financial ruin.

1842. The northeastern boundary question adjusted by treaty, August 20, at the city of Washington, by Daniel Webster for the United States, and Lord Ashburton for Great Britain. "Besides settling the boundary question, this agreement, known as the Ashburton treaty, provided for the final suppression of the slave trade, and for the giving up of criminal fugitives from justice, in certain cases."*

1842. The Seminole war ended—a struggle which lasted seven years, and cost the government ten million dollars and the loss of one thousand four hundred and sixty-six lives. They (the Seminoles) were then reduced to about three hundred persons, of whom only two hundred and thirty were warriors, and took refuge in remote places, where it was quite impossible to reach them. A large proportion of these were successively, and by various devices, taken prisoners and sent west, and those who were left soon became too weak to give further trouble. For nearly three hundred

*History United States.

years a struggle had been perpetuated between the Indians and whites, and the population of Florida, up to 1842, had undergone four entire revolutions, and after having been settled by the European race for two hundred and eighty years, was forced to begin anew the settlement of the country.

1842. The exploring expedition of Lieutenant Wilkes, of the United States navy, returned to New York, June 10, after having made a voyage of nearly ninety thousand miles.

1842. Dorr's insurrection in Rhode Island. This insurrectionary demonstration "originated in a movement to adopt a state constitution of government, and to abandon the old charter given by Charles II. in 1663, under which the people had been ruled for one hundred and eighty years. Disputes arose concerning the proper method to be pursued in making the change, and these assumed a serious aspect. Two parties were formed, known, respectively, as the 'suffrage,' or radical party; the other as the 'law and order,' or conservative party. Each formed a constitution, elected a governor and legislature, and finally armed [May and June, 1843] in defense of their respective claims." It was an attempt to set aside existing authorities, Thomas W. Dorr being the gubernatorial candidate of the suffrage party. May 16 he entered Providence with one thousand three hundred followers, three hundred of whom were armed. On the 18th he made an assault upon the arsenal. He subsequently entrenched himself at Chepachet. He was afterwards arrested, tried and convicted of treason; was sentenced, June 25, 1844, to hard labor for life in the state prison, but released June 27, 1845, a rehabilitation to his civil rights thereafter being denied him.

1843. Bunker Hill monument completed.

1844. First electric telegraph erected between Washington City and Baltimore, a distance of forty miles.

1844. Bloody riots in Philadelphia.

1844. Great floods in the Mississippi. The quantity of water in the Mississippi river, passing Memphis in one year, has been estimated at 20,865,354,998,400 cubic feet, "a quantity suffi-

cient to cover an area of one hundred thousand square miles to the depth of seven and a half feet." [Proceedings of American Association for the Advancement of Science, vol. for 1848, p. 336. Estimated by Robert A. Marr, Acting Master United States Navy, in 1848.]

Early Names of Lakes and Rivers in the Northwest.

The North American Review, number 102, gives the names of the lakes and rivers of the northwest, as they appear in the writings of the early French travelers. Lake Ontario was called lake Frontenac. Lake Erie was called Erike, Erige, or Erie, from the nation of Eries destroyed by the Iroquois; it was also called lake of Conti. Lake Huron was Karegnondi, and lake of Orleans. Lake Michigan was called lake of Puans, lake of the Illinois, lake of the Illinese, lake of the Illinouacks, lake Mischigonong, and lake of the Dauphin. Lake Superior was called lake Superieur, and lake of Conde. Green bay was baie des Puans. Illinois river was sometimes called river Seignelay. The river Ohio was called Ouabouskigou, Ouabachi, Ouabache, Oyo, Ouye, and Belle riviere. The Mississippi river was called river Colbert, river St Louis, Meschasipi, Meschasabe, etc. Missouri river was called Pekitanoni, riviere des Osages, Massourites, etc.

The following is extracted from a History of the United States by Miss Emma Willard, relative to the anti-rent disturbances in New York :

An alarming tendency to anarchy has been experienced in the anti-rent disturbances in the state of New York. In the early history of this state we have seen that under the Dutch government certain settlers received patents of considerable portions of land—of which that of Van Rensselaer was the most extensive—comprehending the greater part of Albany and Rensselaer counties. These lands were divided into farms containing from one hundred and sixty to one hundred acres, and leased in perpetuity, on the following conditions: The tenant must each year pay to the landlord a quantity of wheat, from twenty-two and a half bushels to ten, with four fat fowls, and a day's service with horses and wagon. If the tenant sold his lease the landlord was entitled

to one-quarter of the purchase money. The "patroon" was also entitled to certain privileges on all water-power, and a right to all mines.

In process of time the tenants began to consider these legal conditions as anti-republican, a relic of feudal tyranny. The excellent Stephen Van Rensselaer, who came into possession of the patent in 1785, had, in the kindness of his nature, omitted to exact his legal rights; and two hundred thousand dollars back rent had accrued, which he, dying in 1840, appropriated by will. The tenants murmured when called on to pay it, and sheriffs, in attempting to execute legal process, were forcibly resisted. An ineffectual attempt to put down these disorders was made on the part of the state authorities by a military movement (1841) called in derision "the Heldeberg war."

In the summer of 1844 the anti-rent disturbances broke out with great violence in the eastern towns of Rensselaer, and on the Livingston manor, in Columbia county. Extensive associations were formed by the anti-renters to resist the laws. They kept armed and mounted bands, disguised as Indians, scouring the county, and the traveler, as he met them issuing from the dark woods, with their hideous masks and gaudy calicoes, was required, on penalty of insult, to say, "Down with the rent." These lawless rangers forcibly entered houses, took men from their homes, tarred and feathered or otherwise maltreated them. In Rensselaer county, at noonday, a man was killed where about fifty "Indians" were present, some of whom were afterwards arraigned, when they swore that they knew nothing of the murder. Sometimes one thousand of these distinguished anarchists were assembled in one body. Similar disturbances occurred in Delaware county. At length Steele, a deputy sheriff, was murdered in the execution of his official duty, and his murderers were apprehended.

Meanwhile Silas Wright was chosen governor of the state. *
* * On the 27th of August, 1846, he proclaimed the county of Delaware in a state of insurrection. Resolute men were made sheriffs, and competent military aid afforded him. Leading anti-renters were taken, brought to trial and imprisoned. The murderers of Steele were condemned to death, but their punishment was commuted to that of perpetual confinement.

1845. A treaty with China ratified by Congress, January 16.

1845. Annexation of Texas to the United States.

1845. In 1845, F. E. Neumann did for magneto-electric induction what Ampere did for electro-dynamics, by developing from the experimental laws of Lentz the mathematical theory of the subject. He discovered a function which has been called the "potential" (of one linear current on another, or on itself), from which he deduced a theory of induction completely in accordance with experiment. [Encyclopedia Britannica.]

1845. The Mexican government, presided over by Santa Anna, declared war against the United States.

1846. General Taylor, with three thousand five hundred men, takes a position opposite Matamoras, on the Rio Grande, March 28.

1846. May 12, 1846, a bill passed both houses of Congress of the United States, declaring that war with Mexico already existed, by act of that power, and authorizing fifty thousand volunteers, and an appropriation toward carrying on the war of ten million dollars. On the following day, May 13, 1846, President James K. Polk formally declared war against Mexico, owing to the disturbed relations existing between the two countries, and the measures and policies of peace being exhausted.

Ancient Manner of Declaring War.

"In the reign of Ancus Martius, the Latins having made incursions upon the Roman frontier, the Feciales were sent to denounce war against them. One of these holy heralds, having a pointed javelin in his hand, cried out with a loud voice: 'Hear, Jupiter, and thou Juno! Hear, Quirinus, and ye gods of heaven, earth and hell! I take you to witness that the Latin people are unjust; and as this people has committed outrages against the Romans, the Roman people and myself, with the consent of the senate, declare war against them.'" [Bell's Historical Dictionary.]

The following is an epitome of the principal military engagements of the Mexican war, compiled from the "World's Progress," published by Putnam, New York, 1854:

First collision—a reconnoitering party of seventy from the American army, under Colonel Thornton, were fired upon and taken prisoners by the Mexicans. April 24, 1846.

General Taylor defeats the Mexicans at Palo Alta, loses forty-eight killed and one hundred and twenty-six wounded; Mexicans two hundred and sixty-two killed and three hundred and fifty-five wounded. May 8, 9, 1846.

Monterey taken by Commodore Sloat. July 6, 1847.

Santa Fe occupied by General Kearney. August 18, 1846.

Mexican ports on the Pacific blockaded by Commodore Stockton. August 19, 1846.

Battle of Monterey, four thousand seven hundred Americans under Taylor, ten thousand Mexicans under Ampudia. Monterey surrendered. American loss, one hundred and twenty killed, three hundred and sixty-eight wounded; Mexican much greater. September 21–23, 1846.

Stevenson's California regiment sailed from New York. September 26, 1846.

Tobasco bombarded by Commodore Perry. October 25, 1846.

Tampico occupied by Commodore Conner. November 14, 1846.

Colonel Doniphan, with four hundred and fifty Missouri volunteers, defeated one thousand and one hundred Mexicans at Barito, the latter losing sixty-three killed and one hundred and fifty wounded. American loss, six wounded. General Kearney defeats the "revolted" Californians at San Gabriel, etc. January 8, 1847.

Major Borland, Cassius M. Clay, Major Gaines and eighty men taken prisoners by the Mexicans at Encarnacion January 23, 1847.

Revolt against Americans in New Mexico. American governor, Bent, and five others murdered. January 14, 1847.

One thousand five hundred New Mexican Indians and Mexicans defeated by Colonel Price. January 24, 1847.

Battle of Buena Vista. Americans, four thousand seven hundred and fifty-nine, mostly volunteers, under Generals Taylor and

Wool, and Mexicans, twenty-two thousand, under Santa Anna; latter defeated, and loss six thousand killed and wounded; American loss, two hundred and sixty-seven killed and four hundred and fifty-six wounded. February 22-23, 1847.

Battle of Sacramento. Americans, Colonel Doniphan, nine hundred and twenty-four men, defeated four thousand Mexicans, under Herridea; latter's loss, three hundred killed, three hundred wounded and forty prisoners; American loss, one killed and eight wounded. February 28, 1847.

Vera Cruz surrendered to General Scott and Commodore Perry. American loss, sixty-five killed and wounded. March 29, 1847.

Alvarado surrendered to Lieutenant Hunter. April 2, 1847.

Battle of Cerro Gordo. Americans, eight thousand five hundred, under General Scott, defeat twelve thousand Mexicans, under Santa Anna; five generals and three thousand men taken prisoners by Scott. American loss, two hundred and fifty; Mexican, three hundred and fifty.

Taspan taken by Commodore Perry, April 18, 1847.

Battles of Contreras and Cherubusco. The Americans, under General Smith, drive the Mexicans from these fortified posts towards Mexico, losing one thousand and sixty-six killed and wounded; Mexican loss, six thousand. August 20, 1847.

Armistice agreed upon; broken by the Mexicans; hostilities re-commenced. September 7, 1847.

Battle of Molino del Rey. The Americans, under General Worth, carried the fortifications, defended by fourteen thousand Mexicans, under Santa Anna. American loss, seven hundred and eighty-seven killed and wounded; Mexican loss, three thousand. September 8, 1847.

Battle of Chapultepec, a height near Mexico. Carried by the American Generals Worth, Quitman and Pillow (under General Scott), after a loss of eight hundred and sixty-two. September 12-13, 1847.

This was followed by the surrender of the City of Mexico, September 14, 1847.

Colonel Childs, with four hundred men, and one thousand eight

hundred sick in hospitals, besieged twenty-eight days at Puebla, but compelled the Mexicans to raise the siege, October 12, 1847.

Contribution of six hundred thousand dollars levied in Mexico for protecting public property in the city. September 17, 1847.

City of Huamantla captured by the American General Lane, who defeats Santa Anna. American loss, twenty-four killed and wounded ; Mexican loss, one hundred and fifty. October 19, 1847.

Port of Guayamas bombarded and captured by the American frigate Congress and sloop Portsmouth. October 20, 1847.

A tax levied upon the states of Mexico, and duties, etc., laid to the amount of about three million dollars. December 31, 1847.

General Scott superseded by General Butler. February 18, 1848.

Treaty of peace ratified at Queretaro, by the Hon. A. H. Sevier and N. Clifford for the United States, and the foreign Mexican minister, Signor De la Rosa. May 30, 1848.

American troops finally withdrawn from the City of Mexico. June 12, 1848.

INDIAN WARFARE IN THE NORTHWEST.

- 1755. Braddock's expedition.
- 1758. Grant's defeat.
- 1758. General Forbes' expedition.
- 1763. Pontiac's war.
- 1764. General Bradstreet's expedition.
- 1764. Colonel Bouquet's expedition.
- 1774. Massacre at Baker's Bottom.
- 1774. Major Angus McDonald's expedition.
- 1774. Governor Dunmore's expedition.
- 1774. Colonel Andrew Lewis' expedition.
- 1776. Attack on McClellan's Fort, Kentucky.
- 1777. Attack on Fort Henry (Wheeling).
- 1777. Attack on Harrodsburg, Kentucky.

- 1777. Attack on Boonesborough, Kentucky.
- 1778. Boonesborough besieged.
- 1778. General Clark's first expedition.
- 1779. Colonel Bowman's expedition.
- 1779. Fort Laurens besieged.
- 1779. Attack on Rogers.
- 1780. Colonel Byrd's expedition.
- 1780. General Clark's second expedition.
- 1780. La Balm's expedition.
- 1781. Don Eugenio Pierre's expedition.
- 1781. Colonel Brodhead's expedition.
- 1781. Attack on Colonel Loughrey, August 24.
- 1782. Estill's defeat.
- 1782. Bryant's Station besieged.
- 1782. Battle of Blue Licks.
- 1782. General Clark's third expedition.
- 1782. Colonel Williamson's expedition.
- 1782. Colonel Crawford's expedition.
- 1786. General Clark's fourth expedition.
- 1786. Colonel Logan's expedition.
- 1789. Colonel Hardin's expedition.
- 1790. General Harmar's first expedition.
- 1790. General Harmar's second expedition.
- 1790. Major Hamtramck's expedition.
- 1791. Massacre at Big Bottom (Muskingum).
- 1791. General Scott's expedition.
- 1791. General Wilkinson's expedition.
- 1791. General St. Clair's expedition.
- 1792. Attack on Major Adair.
- 1793. Attack on Morgan's Station, Kentucky.
- 1794. Wayne's expedition.
- 1811. General Harrison's Tippecanoe expedition.

- 1812. Massacre at Pigeon Roost.
 - 1812. Massacre at Chicago.
 - 1812. Fort Wayne besieged.
 - 1812. Fort Harrison attacked.
 - 1812. General Hopkins' expedition.
 - 1812. General Hopkins' second expedition.
 - 1812. Elkhart villages, etc., destroyed.
 - 1812. Colonel Russell's first and second expeditions (second in 1813).
 - 1812. Governor Edward's expedition.
 - 1812. Colonel Campbell's expedition.
 - 1813. Colonel Bartholomew's expedition.
 - 1813. Massacre at River Raisin.
 - 1832. Black Hawk war.
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AN INDIAN TRADITION OF ILLINOIS.

No part of the United States, not even the picturesque highlands of the Hudson, can vie in the wild romantic with the bluffs of Illinois. On one side of the river, often at the water's edge, a perpendicular wall of rocks rises to the height of some hundred feet. Generally, on the opposite shore is a level bottom or prairie of several miles in width, extending to a similar bluff that runs parallel with the river.

One of the ranges commences at Alton and extends, with few intervals, for many miles along the left bank of the Illinois. In descending the river to Alton the traveler will observe between that town and the mouth of the Illinois a narrow ravine through which a small stream discharges its waters into the Mississippi. The stream is the Piasa. Its name is Indian, and signifies, in the language of the Illinois, "the bird that devours men." Near the mouth of that stream, on the smooth and perpendicular bluff, at an elevation which no human art can reach, is cut the figure of an enormous bird, and the bird which the figure repre-

sents was called by the Indians the Piasa, and from this is derived the name of the stream.

The tradition of the Piasa is still current among all the tribes of the Upper Mississippi, and those who have inhabited the valley of the Illinois, and is briefly this :

“Many thousand moons before the arrival of the pale faces, when the great megalonyx and mastodon, whose bones are now dug up, was still living in this land of green prairies, there existed a bird of such dimensions that he could easily carry in his talons a full grown deer. Having obtained a taste of human flesh, from that time he would prey upon nothing else. He was as artful as he was powerful ; would dart suddenly and unexpectedly upon an Indian, bear him off into one of the caves of the bluff, and devour him. Hundreds of warriors attempted for years to destroy him, but without success. Whole villages were nearly depopulated, and consternation spread throughout all the tribes of the Illinois. At length Ouatoga, a chief, whose fame as a warrior extended even beyond the great lakes, separated himself from the rest of his tribe, fasted in solitude for the space of a whole moon, and prayed to the Great Spirit, the master of life, that he would protect his children from the Piasa. On the last night of his fasting the Great Spirit appeared to Ouatoga in a dream, and directed him to select twenty of his warriors, each armed with a bow and poisoned arrow, and conceal them in a disguised spot. Near the place of their concealment another warrior was to stand in open view, as a victim for the Piasa, which they must shoot the instant he pounced upon his prey. When the chief awoke in the morning, he thanked the Great Spirit, and returning to his tribe, told them his dream. The warriors were quickly selected and placed in ambush as directed. Ouatoga offered himself as the victim. He was willing to die for his tribe. Placing himself in open view of the bluff, he soon saw the Piasa perched on the cliff eying his prey. Ouatoga drew up his manly form to its utmost height, and planting his feet firmly upon the earth, began to chant the death song of the warrior. A moment after the Piasa rose in the air, and, swift as the thunderbolt, darted down upon the chief. Scarcely had he reached his victim, when every bow was sprung, and every arrow was sent to the feather into his body. The Piasa uttered a

wild, fearful scream, that sounded far over the opposite side of the river, and expired. Ouatoga was safe. Not an arrow, nor even the talons of the bird had touched him. The master of life, in admiration of the generous deed of Ouatoga, had held over him an invisible shield. In memory of this event, the image of the Piasa was engraved on the bluff."

Such is the Indian tradition. Of course I do not vouch for its truth. This much, however, is certain; the figure of a bird cut into the solid rock, is still there, and at a height that is perfectly inaccessible. How, and for what purpose it was made, I leave for others to determine. Even at this day an Indian never passes that spot in his canoe without firing his gun at the figure of the bird. The marks of balls are almost innumerable.

Near the close of March, of the present year, I was induced to visit the bluffs below the mouth of the Illinois, and above that of the Piasa. My curiosity was principally directed to the examination of a cave connected with the above tradition, as one of those to which the bird carried its human victims. Preceded by an intelligent guide, who carried a spade, I set out on my excursion. The cave was extremely difficult of access, so much so that at one point of our progress I stood at an elevation of more than one hundred and fifty feet on the face of the bluff, with barely room to sustain one foot. The unbroken wall towered above me, while below was the river. After a long and perilous clambering we reached the cave, which was about fifty feet above the surface of the river. By the aid of a long pole placed on the projecting rock, and the upper end touching the mouth of the cave, we succeeded in entering it. Nothing could be more impressive than the view from the entrance of this cavern. The Mississippi was rolling in silent grandeur beneath us; high over our heads a single cedar hung its branches over the cliff, on the blasted top of which was seated a bald eagle. No other sound nor sign of life was near us. A Sabbath stillness rested upon the scene. Not a cloud was in the heavens; not a breath of air was stirring. The broad Mississippi lay before us calm and smooth as a lake. The landscape presented the same wild aspect as it did before it had been seen by the eye of the white man. The roof of the cavern was vaulted, the top of which was hardly less than twenty feet in height. The shape of the cave was irregular;

but so far as I could judge, the bottom would average twenty by thirty feet. The floor of this cave, throughout its whole extent, was of human bones. Skulls and other human bones were mingled together in the utmost confusion. To what depth they extended I am unable to decide, but we dug the depth of three or four feet in every quarter of the cavern, and still we found only bones. How, and by whom, and for what purpose, it is impossible even to conjecture. [Family Magazine.]

OTHER TRADITIONS AND CUSTOMS.

An opinion once prevailed, and still prevails to a certain extent, among some of the western Indians, that eclipses of the sun and moon are caused by a bad spirit, who mischievously intercepts the light intended to be shed upon the earth. On such occasions the Indians manifested a strong desire to drive away the demon, and for this purpose they assembled in bodies and began an attack upon the evil spirit by drumming, shooting, shouting, and making all the terrifying sounds that they can produce. They never fail in their object.

The belief among the Chippewas is that there is a battle between the sun and moon, which intercepts the light. Their object is, therefore, to stop the fight and separate the combatants. They think that this can be done by withdrawing the attention of the combatants from each other to the Chippewas themselves. They accordingly fill the air with all the discordant uproar that can be made by firing guns, yelling and drumming. It is a source of great pleasure to the Chippewas to believe that their clamor never fails to attract the attention of the sun and moon, and that the strife between these bodies never lasted long after the beginning of the noise.

There is a tradition among some tribes that the first Indians came down from the skies.

The Nantikokes say that seven Indians found themselves, "all at once, sitting on the seashore, not knowing where they came from, and from these all the Indians did come."

The Indian beds, in general, are made up of some pieces of

wood, upon which they lay skins, and for their covering they use the finest sorts of skins, or else mats finely wrought. [La Salle's Expeditions in America, p. 11.]

In speaking of the origin of "calumet," Charlevoix says some Indians told him that it was given by the sun to the Panis [Pawnees], a nation upon the Missouri.

It was the law of all the Indian tribes that the inferior chiefs and subjects should plant and remove at the will of the highest chiefs. [Roger Williams.]

In the compilation of these chronological records the prominent and cardinal motive has been to gather from the most reliable and authentic sources brief accounts of the principal historical events which, up to the close of the Mexican war, seem to throw light on the origin and progress of civilized settlements in the immense regions lying westward of the Allegheny mountains. Productive states and prosperous territories have been organized, and the western domain has been extended southwardly to Mexico, and westward to the Pacific ocean. Populous cities have sprung up into existence in what was known as swamp and desert places; rivers have been spanned with magnificent bridges, and their water courses float merchantmen and ships of commerce; mountain barriers have yielded to the blows of engineering enterprise; a net-work of railways extends over the states, and is penetrating the territories; the two coasts are united in firm wedlock of iron chains; continuous lines of telegraph familiarize the east and the west, the north and the south; immense and inexhaustible mines of gold and silver and the baser metals, of incalculable productiveness, are found in many of the states and territories, which annually contribute millions to the world's material wealth; interminable forests of pine, oak, fir, hemlock, cedar and walnut, diversify immeasurable surface areas of the continent, and sources of natural wealth hidden, unfathomed and unexplored, characterize nearly every section of our vast, broad and limitless domain.

From a submissive, dependent and tyrannized colonial condition, we have in ten decades extended the national arm and widened the beneficence of its power from sea to sea, and from frozen to

tropic parallels, until the area of territory under the jurisdiction of the national government embraces nearly four million square miles, or two thousand millions of acres, with a population of forty millions.

In the great valley of the Mississippi and beyond it, devoted, as its inhabitants are, to industry, agricultural pursuits, the mechanic arts and the various productive enterprises of the age, is found the germs of a civilization and empire unparalleled in the history of man. Here is the uncounted wealth of mines; soils of incomparable fertility, and a climate adapted to every latitude of the human race. Here are wonderful grain centers, transcending the fertile areas between the Euphrates and Tigris, as well as the great cotton districts of the western hemisphere, renowned in the factories of the world, cultivated and prepared for market under the skilled management of the producers of the south. Here, where fifty years ago there was not a railroad in the United States, are fifty thousand miles of railway, at a cost of two billions and a half of money. Here are manufactories, agricultural colleges, universities, seminaries, infirmaries, asylums, mechanical and scientific institutes, temples of worship, and in a word, here are salutary laws, a frugal, thrifty, noble people, animated by a public spirit which is the soul and the beam of patriotism; and here is the advancing civilization whose history is to be identified with Providence, and with the dispensations of a Power whose empire is Peace.

PART XI.

THE NEW ENGLAND STATES.

MAINE.

Maine, the remotest eastern state of the Federal Union, has an extreme length, from north to south, of about 300 miles, and an extreme width of about 212 miles, or an average width of 160 miles, by an average length of 200 miles. It embraces an area of 31,766 square miles, or 20,330,240 acres. It was admitted into the Union March 15, 1820. Population in 1820, 298,269; 1830, 399,455; 1840, 501,793; 1850, 583,169; 1860, 628,279; 1870, 626,915. Maine has an extensive sea-coast, with numerous bays and inlets, which afford a series of excellent harbors. The surface of the interior country beyond the coast region, which is somewhat flat and sandy, is, in general, pleasantly varied with valleys and hills. It has been estimated that fully one-fifth of the state is covered with water, and nearly every portion of it is abundantly supplied with streams and rivulets, which, for the most part, flow from or through lakes, and are copiously supplied from these reservoirs throughout the year. Many of these lakes are distinguished for the picturesque beauty of their scenery, and some of them being quite extensive, they constitute characteristic features of the country.

The climate is cold and subject to severe extremes, but the atmosphere is unusually clear and invigorating. The soils of the state are of various fertility, those near the coast being sandy and sterile, but in other localities, and more especially along the rivers, they are well adapted to grazing. In the state are many dense forests of beech, birch, pine, oak, etc. There is also abundance of

timber suitable for ship-building, and from the facilities with which it is procured, Maine has become the great ship-building state of the Union. Limestone, marble and granite constitute the principal mineral products, and are largely quarried. It has extensive fisheries of cod, mackerel, herring and salmon. Augusta, the capital of the state, situated on the Kennebec river, is well built, and has many handsome edifices.

The first settlements of Maine were for a long time interrupted by savage incursions, and though visited at an early period, no permanent colonies were established until the commencement of the seventeenth century. In 1604 the French settled on the Kennebec, and in 1607 Sir John Gilbert arrived at the mouth of the same river, with 100 colonists, but having passed the winter in great suffering, the party returned to England. After the formation of the Plymouth company, a more regular system of colonization was attempted, but no effectual settlement by the English was made before 1635. In that year the country was parceled into shares, but none of the holders, except Sir Ferdinand Gorges, who received a grant of the lands between the Piscataqua and Kennebec, obtained their patents. His charter, granted in 1639, gave him despotic power over the district, and the laws he promulgated on taking possession were aristocratic and feudal in their character, and little suited to the English emigrant of the time. The first general council was held in 1640. His government continued under himself and heirs during the period of the commonwealth in England and the usurpation of Massachusetts until 1667, when the heirs, wearied of the conflicts with Massachusetts for jurisdiction, sold their interest to that colony for twelve hundred pounds sterling, it being thereafter governed as a part of her territory, and included in the new charter of Massachusetts in 1691. From the period of this union until the final separation in 1820, the history of Maine has been merged in Massachusetts. William King was the first governor of Maine, from 1820 to 1822. The state was named from *Maine*, France, of which Henrietta Maria, queen of England, was at that time proprietor. Popular name, "The Lumber or Pine Tree State."

NEW HAMPSHIRE.

New Hampshire, one of the thirteen original states, is about 180 miles in length, from north to south, with a maximum breadth of 90 miles, or an average of 45, including an area of 9,280 square miles, or 5,939,200 acres. Population in 1790, 141,885; 1800, 183,858; 1810, 214,460; 1820, 244,022; 1830, 269,328; 1840, 284,574; 1850, 317,976; 1860, 326,073; 1870, 318,300. The sea-coast of New Hampshire is but eighteen miles in length. The shore is little else than a sandy beach, bordered in front by salt marshes, and indented by creeks and coves, which form, however, eligible harbors for small craft. For twenty-five or thirty miles from the seaboard the surface is principally level, or gently undulating, but beyond this zone the general surface becomes mountainous, chiefly in the north, the hills augmenting in height as they recede from the sea, until they swell to the noble grandeur of the White mountains.

It is estimated that about 110,000 acres of the area of this state are covered with water. The soils of the state are somewhat stubborn, but industrious and careful husbandry have rendered them moderately productive. The most fertile regions are in the valleys of the rivers. The northern part of it is valuable as woodland and pasturage. The climate is some colder than that of Maine, and more regular; the difference of elevation, however, decides the prevailing temperature, and in some cases the difference between that of the base and the summit of the mountains is from eighteen to twenty-five degrees. During the summer solstice the thermometer will ascend to one hundred degrees Fahrenheit, and in the winter congeal mercury in the tube. None of the states have greater quantities of granite suited to architectural purposes. Immense and inexhaustible ranges of this stone, of the finest texture and color, are found at various points on the banks of the Merrimac and Connecticut. Oak, pine, hemlock, ash, beech, birch, etc., are the natural timber growths of the country. Its mineral resources are by no means unimportant.

Notwithstanding the rigor of the climate, many instances of longevity, seemingly peculiar to this state, are recorded, and it is said to be no unusual spectacle to find persons enjoying good health

at the great age of one hundred years. William Perkins, of New Market, died in 1732 at 116; William Scory, of Londonderry, in 1754, at 110; Robert Merlin, in 1785, at 115; Samuel Welch, of Bow, 1823, at 113. In 1840 there were living in the state ten persons of one hundred years of age and upward, and in 1850 thirteen persons.

“New Hampshire was first settled by the English, at Dover and Portsmouth, in 1623. It was originally a part of Massachusetts, but was organized as a separate province, with its present name, by a royal charter, in 1679. In 1689 it was annexed to Massachusetts, and was afterwards transferred to New York. It was erected into an independent province in 1741, however, and has since maintained a distinct existence. In 1776 the state declared its separate independence of Great Britain, and June 21, 1788, it adopted the constitution of the United States.” Richard Cutts was the first colonial governor (1680), and Jonah Bartlett the first under the constitution, from 1792 to 1794. New Hampshire was the name given to the territory conveyed by the Plymouth company to Captain John Mason, by patent, November 7, 1629, with reference to the patentee, who was governor of Portsmouth, in Hampshire, England. Popular name, “The Granite State.”

VERMONT.

Vermont, one of the northeast or New England states, the fourteenth member of the confederacy, and the first state admitted under the constitution, possesses an area of 10,212 square miles, or 6,535,680 acres. It was admitted into the Union March 4, 1791. Population, 1790, 85,425; 1800, 154,465; 1810, 217,895; 1820, 235,966; 1830, 280,652; 1840, 291,948; 1850, 314,120; 1860, 315,098; 1870, 330,551.

With some slight exceptions the entire surface of Vermont is mountainous, although the soils of the state are generally rich and loamy; excellent tracts of valley land are found near the rivers, which consist of deep, black alluvial deposits. The uplands are in many places not inferior to the lower or valley regions, and are usually sufficiently free from stones to admit of cultivation. The

more hilly and mountainous sections that are not arable, afford the very richest pasturage. Altogether the state is better adapted to grazing than to tillage. Cattle, horses and sheep reared in this state enjoy a great popularity in the market. Wheat is raised in some sections, and the climate and soil of all parts are favorable to the growth of the apple.

The minerals prevailing in this state are copper, iron, zinc, lead, etc. Granite, however, is the great staple. The forests consist of spruce, fir, hemlock, etc., on the high tracts, while oak, beech, sugar-maple, pine, hickory, elm, birch, basswood and butternut abound on the lower lands and plateaux. Montpelier, the capital of the state, and located near the center, is a thrifty city, on the line of transit between Boston and Montreal.

Vermont was discovered, and districts of territory explored by Samuel Champlain, as early as 1609. In 1724 the first settlement was made by the whites, on the site of the present town of Brattleborough. Immigration set in from 1760 to 1768, during which period the country had been claimed as a part of the New Hampshire grant; whereupon a counter-claim was put forth by the governor of New York, under virtue of the grants from Charles II. to his brother, the Duke of York. On an appeal to the English crown, jurisdiction over the new territory was decided in favor of New York. This decision culminated in armed difficulties between the settlers of Vermont and the authorities of New York. In 1777 Vermont declared herself independent, and applied for admission into the national confederation, but which privilege was denied her until 1791. Thomas Chittenden was the first governor of the state. Vermont was so called in their declaration of independence, January 16, 1777, from the French *verd mont*, the Green mountains. Popular name, the "Green Mountain State."

MASSACHUSETTS.

Massachusetts, "the parent state" of New England, and one of the original thirteen, has a general breadth of not more than 50 miles, with a length of about 160 miles; but in the eastern part it extends abruptly to the breadth of 90 miles, and shoots a long, narrow tongue

of land into the ocean, which extends nearly 50 miles beyond the mainland. Its estimated area includes 7,800 square miles, or 4,992,000 acres. Population in 1790, 378,787; 1800, 422,845; 1810, 472,040; 1820, 523,159; 1830, 610,408; 1840, 737,699; 1850, 994,514; 1860, 1,231,066; 1870, 1,457,351.

The general surface of the state is hilly, and in some places decidedly rugged. The inclination, or slope of the country, is from the west to the east, the ascents being proportioned to the distance inland. The southeast coast is margined, in some parts, by marshy plains, which extend inland for several miles. This is succeeded by a hilly region, which occupies all the central portion of the state, and is characterized by valleys of various dimensions and extent, numerous rivers and large pine barrens. This region is separated from the mountainous sections, which embrace the extreme west portion of the state, by the valley of the Connecticut river. Between Cape Ann and Cape Cod the coast presents a spacious, deep and admirable bay.

The soil of Massachusetts is by no means remarkable for its productions, although, by judicious and careful cultivation, large tracts have been greatly improved, so that nearly every variety of grain, fruit, etc., common to the temperate region yields abundantly. The valleys of the state, especially those of the Connecticut and Housatonic rivers, possess a deep, rich and productive soil.

The climate of the state resembles that of the states lying north of it, though not subject to their extremes of temperature. Its mineral resources consist of iron, lead, mica, gneiss, quartz, limestone, hornblende, slate and asbestos. Calcareous formations and the altered silurian sandstones are found on the high lands which cross the state from north to south, and along the Housatonic. This is the most important mineral region in the state, many beds of iron ore having been operated to advantage, and the quartz rocks affording, in their disintegrated beds, bodies of glass-sand of unusual purity. Granite of the finest quality prevails in Quincy and vicinity. The new wings of the capitol at Washington, D. C., as well as that of Girard College, Philadelphia, are constructed from the marble of Berkshire county; so is Bunker Hill monument, the front of the Tremont House at Boston, and other magnificent structures in New York and elsewhere.

In its manufacturing enterprises and industries it enters into competition with the world, and is a chief manufacturing district of the United States. For the year 1870 its industrial products were \$553,912,568; capital employed, \$231,677,862; number of persons engaged, 279,380. The principal productions were wool-len goods, calico, mousseline de laine, clothing, paper, leather and boots and shoes. From her earliest settlement, Massachusetts has been conspicuous and prominent in her advocacy of the public school system, and in 1636 she appropriated two thousand dollars toward the establishment of Harvard College. The condition of suffrage in this commonwealth is the capacity to read and write in the English language.

Boston, the commercial emporium of New England, and capital of Massachusetts, is situated on a peninsula at the head of Massachusetts bay. In 1740 the population was 17,000, and in 1790 only 18,038, its growth having been impeded by wars and the restrictive policy of England. Its population in 1870 was 250,526. Since 1790 its advancement in all respects has been rapid and remarkable. Its docks, wharves and warehouses are constructed upon an extensive scale. The State House, City Hall, Market House, Court House, General Hospital, Public Library, Bureau of Charities, Horticultural and Music Halls, etc., are splendid specimens of the different styles of modern architecture. A magnificent park of fifty acres, known as the *Common*, and Bunker Hill Monument, at Charlestown, are objects of great attraction. Here The News-Letter, the first journal issued in the United States, was published April 24, 1704. The second was the Boston Gazette, begun in 1719. The city derived its name from the colonists who first came from Boston, England. After the repeal of the stamp act and the duty on tea was attempted to be imposed, the earliest popular movements appeared at Boston. It was the first to remonstrate against, and the most strenuous to oppose, the unjust taxation by the mother country. The part it played in the bloody drama of the revolution is historically immortal. Her devotion to science, art and education has given her great prominence before the world. She has been called the "Athens" of the New World, and facetiously dubbed the "Hub" of the universe.

The history of Massachusetts may be supposed to have its be-

ginning with the landing of a colony of English Puritans in December, 1620, which was known as the Plymouth company. A legend prevails that portions of its coast were discovered by Norwegian navigators as early as A. D. 1000, but the verdict of the best historians is, that the honor of its discovery properly belongs to John Cabot, who, under orders of Henry VII., visited the coast in 1497. Eight years (1628) after the arrival of the Pilgrims another colony was established at Salem, and both were united under one government, with Maine, in 1692. The present state constitution was formed in 1780, and adopted by a popular vote; it was revised and altered in 1820. In 1783 slavery was abolished, and in 1786 a rebellion, under the leadership of Daniel Shays, disturbed the quiet of the state, which, after some trifling collisions, was soon suppressed. The Federal constitution was adopted February 6, 1788, by 187 against 168. John Carver was the first colonial governor (1620), and John Hancock the first under the constitution, from 1789 to 1794. Massachusetts was named from the Massachusetts tribe of Indians, in the neighborhood of Boston. The tribe is thought to have derived its name from the Blue Hills of Milton. "I had learnt," says Roger Williams, "that the Massachusetts was so called from the blue hills." Popular name, "The Bay State."

RHODE ISLAND.

Rhode Island, the last of the thirteen original states to ratify the Federal constitution, is the smallest state in the Union, being but 42 miles in length and 35 in width, with an area of about 1,360 square miles. Population in 1790, 68,825; 1800, 69,122; 1810, 76,931; 1820, 83,015; 1830, 97,199; 1840, 108,830; 1850, 147,545; 1860, 174,620; 1870, 217,353. Narragansett bay enters the eastern part of the state, and extending inland for a distance of thirty miles in a northern direction, separates it into two unequal parts. It is generally broken and hilly in its surface aspects, although none of the elevations within its border attain to the dimensions of mountains. In its leading features the climate of Rhode Island is said to assimilate that of Great Britain, it being greatly influenced by the breezes and vapors of the Atlantic.

The soils are of considerable diversity, and, in the main, are not so well adapted to tillage as grazing, although barley, oats, rye and wheat are produced in quantities sufficient for home consumption. The inhabitants, however, instead of making agriculture a pursuit, devote themselves to manufactures, commerce and the fisheries.

Its mineral deposits comprise freestone, marble, copper and beds of anthracite coal. As a manufacturing center its position is next only to Massachusetts. Hardware, leather, woolen and cotton goods, and great varieties of machinery, constitute her chief industrial products. Bleaching and calico printing are largely conducted, and a number of iron foundries are in the state.

Rhode Island, lying in Narragansett bay, fifteen miles long and on an average three and a half miles wide, gives its name to the state. Its soil is fertile, and its climate such as to have won it the title of the "Eden of America." Rhode Island has two state capitals—Newport and Providence, the harbor of the former being one of the finest in the world.

The government of this state, first settled in 1636, was founded on the provisions of the charter granted to the colony by Charles II. in 1663. Roger Williams and his associates, who left Massachusetts to escape religious persecutions, were the first settlers, and founded the town of Providence in 1636. In 1664 Williams obtained a patent from the Plymouth company, including Providence Plantations and Rhode Island, which had been settled in 1638. The charter of 1644, which was renewed in 1663, remained in force till 1842, when a new constitution was adopted in 1844. Rhode Island gave her adherence to the Federal constitution (the last to accede to it) May 29, 1790. John Coggeshall was the first colonial governor (or president) 1647, of Rhode Island, and Arthur Fenner the first under the constitution, from 1790 to 1805. It was so-called in 1664, in reference to the Rhode Island of Rhodes, in the Mediteranean. Popular name, "Little Rhody."

CONNECTICUT.

Connecticut lies between Massachusetts and Long Island sound, and extends from Rhode Island to New York, and is

90 miles in length, with an average breadth of over 50 miles, possessing an area of 4,730 square miles, or 3,027,200 acres. Population in 1790, 237,946; 1800, 251,002; 1810, 261,942; 1820, 275,148; 1830, 297,675; 1840, 309,978; 1850, 370,792; 1860, 460,147; 1870, 537,454. Hills and valleys of moderate size occurring in rapid succession greatly diversify the whole surface area of the state. The valley of the Connecticut, varying in width from ten to sixteen miles, is one of exceeding fertility, and is a valuable agricultural district. The river valleys throughout the state are generally productive. In the eastern portion of the state the prevailing soil is rich and fertile, while nutritious grasses grow abundantly.

The climate and vegetation very nearly correspond to those of Massachusetts. Valuable mineral deposits are found throughout the state. Copper, iron ore, marble, zinc, cobalt, manganese, plumbago, etc., have been discovered at various times and places. The manufacture of clocks, carriages, iron, woolen, cotton and India-rubber material are immense productive industries. Cabinet furniture, silver and plated ware, saddlery, paper, boots, shoes, leather, buttons, combs, powder, glass, underwear, etc., comprise the multiplicity of their agricultural and mechanic manufactures. Sharp's rifles, Collin's axes and Colt's revolvers, and numerous other products of inventive skill and enterprise, have achieved for the state a distinctive reputation. From its chief river bearing its title, the state derives its name, signifying, in the Indian dialect, "The Long River." Hartford is the capital of the state. At New Haven is Yale College, established in 1700.

The state of Connecticut was first settled at Windsor by a colony from Massachusetts, in 1663. Hartford was settled by the English in 1635, the Dutch having previously built a fort there, which they did not permanently hold. It originally comprised two colonies—the colony of Connecticut and the colony of New Haven. In 1662, April 23, a charter was granted by Charles II., with ample privileges, uniting them under one government. For a period the colony of New Haven refused to accept the charter, and the union did not take place till 1665. In 1687 the charter was suspended by James II., and Sir Edmund Andros, who had been appointed governor of New England, was despatched to assume

the functions of government. Repairing to Hartford with a body of troops he demanded the charter from the assembly then in session, the instrument was brought into the hall with the intention of surrendering it, but the discussion being protracted into the evening, the lights were suddenly extinguished, and Captain Joseph Wadsworth carried it away and deposited it in the famous Charter Oak, which succumbed to a storm in 1856. The charter was restored again after the revolution of 1688, in England, and the deposition of Andros, and the government was administered under it until 1818, when the present constitution was established and went into effect. It became one of the original states, and adopted the constitution of the Union in 1780, by a vote of one hundred and twenty-eight to forty. John Winthrop was the first colonial governor of Connecticut (1665), and Samuel Huntington the first under the constitution, from 1785 to 1796. Connecticut received its title from the Indian name of its principal river. Connecticut is a *Mocheakannew* word, signifying "Long River." Popular name, "The Nutmeg or Freestone State."

PART XII.

THE MIDDLE STATES.

NEW YORK.

This state, though not the largest, is the most important of the great Federal Union, and was one of the original thirteen. Its maximum breadth is 311 miles, and its length, Long Island inclusive, is 412 miles, and possesses an area of 47,000 square miles, or 32,332,160 acres. Population in 1790, 340,120; 1800, 589,051; 1810, 959,049; 1820, 1,372,111; 1830, 1,908,608; 1840, 2,428,921; 1850, 3,097,394; 1860, 3,880,735; 1870, 4,382,759. The appended topographical description of New York is extracted from French's *Gazeteer of the state*:

“This state lies upon that portion of the Appalachian mountain system where the mountains generally assume the character of hills, and finally sink to a level of the lowlands that surround the great depression filled by Lake Ontario and the St. Lawrence river. Three distinct mountain masses or ranges enter the state from the south, and extend across it in a generally northeast direction. The first or most easterly of these ranges—a continuation of the Blue Ridge of Virginia—enters the state from New Jersey, and extends northeast, through Rockland and Orange counties, to the Hudson, appears on the east side of that river, and forms the highlands of Putnam and Dutchess counties. A northerly extension of the same mountains passes into the Green mountains of western Massachusetts and Vermont. This range culminates in the highlands upon the Hudson. The highest peaks are one thousand to one thousand seven hundred feet above tide. * * *

The deep gorge formed by the Hudson in passing through this

range presents some of the finest scenery in America, and has often been compared to the celebrated valley of the Rhine.

“The second series of mountains enters the state from Pennsylvania, and extends northeast through Sullivan, Ulster and Greene counties, terminating and culminating in the Catskill mountains upon the Hudson. The highest peaks are three thousand to three thousand eight hundred feet above tide; the Shawangunk mountains, a high and continuous ridge extending between Sullivan and Orange counties and into the south part of Ulster, is the extreme east range of this series. The Helderberg and Hellibark mountains are spurs extending north from the main range into Albany and Schoharie counties. * * * The declivities are steep and rocky, and a large share of the surface is too rough for cultivation. The highest peaks overlook the Hudson, and from their summits are obtained some of the finest views in eastern New York.

“The third series of mountains enters the state from Pennsylvania and extends northeast, through Broome, Delaware, Otsego, Schoharie, Montgomery and Herkimer counties, to the Mohawk, and appears upon the north side of that river, and extends northeast, forming the whole series of highlands that occupy the northeast part of the state, and generally known as the Adirondack mountain region. South of the Mohawk, this mountain system assumes the form of broad, irregular hills, occupying a wide space of country. It is broken by the deep ravines of the streams, and in many places the hills are steep and nearly precipitous. The valley of the Mohawk breaks the continuity of the range, though the connection is easily traced at Little Falls, the Noses, and other places. North of the Mohawk the highlands extend northeast in several distinct ranges, all terminating upon Lake Champlain. The culminating point of the whole system, and the highest mountain in the state, is Mount Marcy, five thousand four hundred and sixty-seven feet above the tide. The mountains are usually wild, rugged and rocky. A large share of the surface is entirely unfit for cultivation, but the region is rich in minerals, and especially in an excellent variety of iron ore. West of these ranges, series of hills, forming spurs of the Alleghanies, enter the state from Pennsylvania, and occupy the entire south half of the

western part of the state. An irregular line extending through the southerly counties forms the watershed that separates the northern and southern drainage; and from it the surface gradually declines northward, until it finally terminates in the level of Lake Ontario. The portion of the state lying south of this watershed, and occupying the greater part of the two southerly tiers of counties, is entirely occupied by these hills. Along the Pennsylvania line they are usually abrupt, and are separated by narrow ravines, but toward the north their summits become broader and less broken. A considerable portion of the highland region is too steep for profitable cultivation, and is best adapted to grazing. The highest summits in Allegany and Cattaraugus counties are two thousand to three thousand feet above tide.

“From the summits of the watershed the highlands usually descend toward Lake Ontario in series of terraces, the edges of which are the outcrops of the different rocks which underlie the surface. These terraces are usually smooth, and, although inclined toward the north, the inclination is generally so slight that they appear to be level. Between the hills of the south and the level land of the north is a beautiful rolling region, the ridges gradually declining toward the north. In that part of the state south of the most eastern mountain range the surface is generally level or broken by low hills. In New York and Westchester counties these hills are principally composed of primitive rocks. The surface of Long Island is generally level or gently undulating. A ridge one hundred and fifty to two hundred feet high, composed of sand, gravel and clay, extends east and west across the island north of the centre.”

The riparian system of the state supplies immense distances of inland navigation. The Hudson, the largest river, is a splendid water course, has a length of three hundred and twenty miles, a tidal flow of one hundred and fifty miles. Its sources are in the Adirondack group of mountains, the stream flowing in a southwardly direction toward the Atlantic ocean. The other more important rivers of the state are the Oswego, Genesee, Mohawk, St. Regis, Catskill, Oswegatchie, Chenango, Chemung, Black river, etc.; while the St. Lawrence, which carries to the ocean a larger body of water than any other river in the world, except the Ama-

zon, and is the outlet of the great lake-chain of the north, constitutes a portion of the northern boundary of the state. The Allegheny, the Delaware and Susquehanna have their sources in this state, and in their first intention possess immense water-power. The cataracts, cascades and falls of many of the rivers are distinctive and distinguishing features of the streams. Prominent among these are the falls of Niagara; the falls of the Genesee, at Rochester; those of the Mohawk, at Cohoes; Fall Creek, Little Falls, Trenton Falls, Glenn Falls, Catskill Falls, etc.

Its principal lakes are those of Champlain, Oneida, Cayuga, Seneca, Canandaigua, George and Chautauqua, etc., all of which abound in fish, and are characterized by the most picturesque and magnificent scenery. The sea-coast of the state is chiefly comprised in the shores of Long Island. The great depot of commerce of New York is the bay and harbor, one of the most magnificent on the Atlantic coast. Those of Dunkirk and Buffalo, on Lake Erie, are important commercial stations.

The largest appendage to the state is Long Island, which reaches into the Atlantic, opposite the southern shore of Connecticut, a distance of nearly one hundred and fifty miles, its greatest breadth being about twenty miles, with an average breadth of ten. Its shape has been described as that of an immense whale, and a rocky ridge, called the spine, extends likewise nearly through it, and at the west end forms the heights of Brooklyn. At the mouth of New York harbor is Staten Island, fifteen miles long and eight miles broad, detached from Long Island by the bay and narrows.

The climate of the state does not easily admit of description, as its phenomena is controlled by locality. Its soils in the river depressions and valleys are remarkably productive, and the adoption of scientific modes of husbandry have imparted a vital stimulus to the agricultural industries of the state. The valleys of the Mohawk, Seneca and Genesee are renowned as remarkable wheat-producing districts, and where the lands are of inferior quality the substitution of grazing for tillage is accepted. The geology of the state has been scientifically explored by authority of the legislature, as well as its botanical and animal formations. Its mineral wealth is extensive and diversified, consisting of coal, iron, hem-

atite and magnetic ores, silver, marble, copper, zinc, arsenic, bismuth, etc. Its forest trees comprise the most important vegetation of the state, and are found in marked varieties, as, for instance, walnut, beech, white and black oak, maple, ash, elm, hemlock, spruce, white and pitch pine, tamarack, red and white cedar, yew, etc.

In the matters of internal improvements New York was the first state to take the initiative, having as early as 1825 connected the waters of the northern lakes with those of the Atlantic.* In point of commerce it greatly surpasses all the other states of the Union. The principal part of the imports, and a large portion of the exports, are manipulated at the port of its great emporium city. Nearly five thousand miles of railroad were completed in the state in 1870, at a cost of over two hundred and twenty-five million dollars. Its principal cities are New York, Brooklyn, Buffalo, Albany, Rochester, Syracuse, Utica, Troy, Poughkeepsie, Auburn, Elmira, Oswego, Lockport, Rome, Schenectady, Kingston, etc. Albany is the capital of the state; it was originally a trading-post of the Dutch (1623), and was named in honor of the Duke of York and Albany, the proprietary of the colony. It is situated on the Hudson, one hundred and forty-three miles by railway from New York, and is the entrepot of a vast internal commerce, its situation for such purposes being unsurpassed.

Brooklyn, with a population in 1870, of 396,099, is the third city in the United States, and is separated from New York City by East river, an arm of the sea three-quarters of a mile in width. The two cities are connected by means of ferries, which will soon be supplanted by the magnificent bridge now in process of construction.

West Point, the site of the United States Military Academy, is located on the Hudson river, fifty-two miles north of New York City, and was established in 1802. In 1777 it was fortified and occupied by the American army, a massive chain being drawn across the Hudson to prevent, with the aid of the forts, the English from ascending the river and communicating with the Canadian provinces.

*See Chronological Record, year 1825.

New York City, the metropolis of the United States, is situated in New York county, on Manhattan Island, the city embracing the entire county. The island is two and a quarter miles wide at its maximum, thirteen and a half miles long on the west, and nine miles in length on the east side. The city was founded by the Dutch in 1614; surrendered to the English, 1664; retaken by the Dutch, 1673; captured by the British, 1776; evacuated November 25, 1783; slave market established in 1711; in 1725, the New York Gazette appeared; negro plot for the destruction of the city occurred 1741-42, twenty negroes hanged, thirteen burned at the stake and seventy-eight transported; battle of Long Island, August 26, 1776; first meeting of Congress here, 1785; Washington installed president of the United States at City Hall, in Wall street, April 30, 1789; yellow fever in 1795 and 1805; cholera in 1832-34-49; great fire swept over forty acres and destroyed twenty million dollars worth of property; celebration of the completion of the Croton aqueduct, October, 14, 1842; first street railway built, 1852; Central Park commenced, 1858. Population in 1656, 1,000; 1673, 2,500; 1696, 4,302; 1731, 8,628; 1756, 10,381; 1773, 21,876; 1786, 23,614; 1790, 33,131; 1800, 60,489; 1810, 96,373; 1820, 123,706; 1830, 202,589; 1840, 312,710; 1850, 515,507; 1870, 942,237.

Broadway, the principal street of the city, is one of the most imposing avenues in the world, extending north and south in a straight line, with a breadth of eighty feet. The public buildings of the city are massive and substantial, among which may be enumerated the new Exchange, Custom House, new Post Office, Stock Exchange, City Hall, new Court House, University of the City of New York, Academy of Design, etc. Its church edifices are costly and splendid ornaments to the city. Of these Trinity, on Broadway, is the most distinguished. It is a Gothic structure, of solid brown-stone from foundation to spire, with the exception of the roof, which is of wood. Although not of a pure Gothic, the height of the steeple (two hundred and eighty-two feet) and its general architectural beauty make it, on the whole, one of the most elegant and cathedral-like piles on this continent. Its theaters are well patronized, and the legitimate drama is an established institution of the city. The more prominent of these are Booth's, Grand

Opera House and Wallack's. The provisions of the city for educational purposes are upon a scale commensurate to the intelligence of its population, while its public libraries are extensive and excellent, chief of which is the Astor Library, founded by John Jacob Astor, and additionally provided for by his son, William B., the collection now exceeding one hundred and fifty thousand volumes. The New York Society Library was established in 1754, and the New York Historical Society in 1804. Its art galleries, scientific and literary institutions are of a high order, while its benevolent and charitable institutions are organized upon the most philanthropic and exalted basis. The celebrated Croton aqueduct is about forty miles long, and commences at the Croton river, where the water is collected in an immense dam, from whence it is conducted by aqueduct from the Croton river to the receiving reservoirs, which embrace an area of one hundred and thirty-seven acres, and possess nearly two billion gallons. It is thence distributed throughout the city by means of iron pipes, and in this way are the public and private buildings supplied.

Verrazano, a Florentine, in the service of France, is said to have discovered New York bay in 1524, but the history of the state commences with the arrival of Henry Hudson, an Englishman, in the service of the Dutch, in 1609, who discovered the river Hudson, bearing his name, and the island of Manhattan, where the city of New York now stands. The Manhattans, who inhabited the island, as well as the Mohawks, who occupied the newly-discovered country, were fierce and formidable nations. In 1610 a ship was sent from Amsterdam to trade with the Indians. In 1613 some few trading posts were built upon the river, and a number of houses erected on the island. October 11, 1614, the United New Netherlands company* was formed. An armed mercantile association passed the charter of the Dutch West India company in June, 1621. In 1624 Peter Minuit, with the power of director, arrived with several families from the frontiers of France and Belgium, and settled on the bay of Long Island. A directorship and council of five constituted the government. In 1626 Staten island was bought from the Indians, and the same year the entire island of

*The country extending between the Connecticut and Delaware rivers received the name of New Netherlands.

Manhattan was sold for twenty-five dollars. The settlers of Plymouth company, about 1627, advanced a claim to the region watered by the Connecticut, which claim was resisted by the Dutch. In 1632 Director Minuit was recalled, when the government of Van Twiller was installed, who, at the end of five years, was succeeded by Kieft. In 1640 emigrants from Lynn, Massachusetts, attempted settlements. Peter Stuyvesant became governor in 1645, his administration closing by the capture of his colony by the British, September 6, 1664, after which the name was changed to New York, and Colonel Richard Nicolls, appointed by the Duke of York, to whom the territory had been granted by the King, as its governor, and who, June 12, 1666, granted a charter to the city; August 7, 1673, the colony was recaptured by the Dutch when the name of the city was changed to New Orange, and Captain Colve appointed governor. It was, however, restored to the English by treaty February 9, 1674. "Some doubts existing relative to the validity of the Duke of York's patent, both on account of the Dutch occupancy, and the fact that it was wrested from that nation in time of peace, he deemed it advisable to obtain a new patent from his brother, the king, in 1764. In the autumn of that year Mayor Edmund Andros, afterward so well known as the tyrant of New England, arrived in New York and assumed the office of governor. In February, 1685, the duke ascended the throne under the title of James II., and among the first acts of this bigot were his instructions to allow no printing press to be established in the colony." But his administration was of short duration, its termination having been compelled by the revolution of 1688, and the proclamation of William and Mary as heritors of the throne. War was declared between France and England in 1744, and the following year New York and New England combined in an expedition against the French fortress at Louisburg, which capitulated in July of that year.

A constitution for the state of New York was reported in March, 1777, by the provincial congress, and on the 20th of April following was accepted as the basis of government. Under the new constitution George Clinton was elected governor, there being at that time but fourteen counties in the state, to-wit: New York, Richmond, Kings, Queens, Suffolk, Westchester, Dutchess, Orange,

Ulster, Albany, Tryon, Charlotte, Cumberland and Gloucester. The year 1790 witnessed the amicable adjustment of the difficulties between New York and Vermont, and the former state, within its present limits, unshackled by sectional or territorial animosities, entered upon its incomparable career of civil and commercial grandeur. July 26, 1788, it ratified the constitution, it being the eleventh state to indorse that instrument. After the close of the American revolution the western portion of the state was rapidly settled by an enterprising and energetic population. The first colonial governor was Joris Adrian (Dutch) 1623, and the first under the constitution was George Clinton, from 1789 to 1795. It was named in 1664 in honor of the Duke of York and Albany. Popular name, "The Empire or Excelsior State."

PENNSYLVANIA.

Pennsylvania,* one of the original thirteen states, named by Charles II. in honor of William Penn, in view of her central position, her immense and inexhaustible natural resources and her many systems of transit-lines, occupies a commanding position among the great commonwealths of the Union. The state has a maximum breadth of 176 miles and an extreme length of 303 miles, furnishing an area of 46,010 miles or 29,446,400 acres. Population, 1790, 434,373; 1800, 602,365; 1810, 810,091; 1820, 1,047,507; 1830, 1,348,233; 1840, 1,724,033; 1850, 2,311,786; 1860, 2,906,215; 1870, 3,521,951.

"The surface of the state is level in the southeast, hilly and mountainous in the interior, and generally level or arable in the west. The Allegheny mountains occupy all the central part, covering with their ramifications more than half of its area. Their ridgy tracts all tend northeast and southwest, those east of the Allegheny range being abrupt and precipitous, while west the surface

*William Penn, the illustrious founder of Pennsylvania, was a native of England; born in London October 13, 1644; emigrated to America in 1682; returned to England the second time in 1711, burdened and encumbered by debts; sought to negotiate the sale of Pennsylvania to the Crown for 12,000 pounds, but in this measure was interrupted by illness, and died July 29, 1718, at Ruscombe, Berkshire county, England.

inclines toward the Ohio river and Lake Erie in graded slopes. The passes of this inner range are about 2,000 feet above sea level, the lower valleys of the Ohio, where it leaves the state and the plain skirting Lake Erie, being about 800 and 650 feet respectively. The inner valley, by which the Susquehanna flows, has but an inferior elevation above the sea, and it takes up a large area, dividing the mountainous belt. The mountains of Pennsylvania are components of the great Appalachian chain, and form a succession of ridges, running in parallels, generally in a direction southwest to northeast, and presenting, in some parts, summits elevated 3,000 feet. The principal valleys of the mountain region are those of Chester, Wyoming, Lackawanna, Juniata, Cumberland and Monongahela. The chief rivers are the Susquehanna, traversing the center of the state, and the largest stream flowing into the Atlantic in the United States; the Delaware, with its affluents, the Lehigh and Schuylkill; the Juniata, tributary to the Susquehanna; and in the west, the Allegheny and Monongahela, uniting at Pittsburg to form the Ohio."*

The inhabitants of the state are largely devoted to agriculture, the immense limestone formations assuring to the soil remarkable fertility and productive qualities. The anthracite region, which is composed chiefly of a rugged and forbidden surface, is sterile and unattractive. The valleys between the mountains are generally rich in their soils and suited to the cereals and grasses, while many of the elevations are cultivated to their summits. Westward of the mountains the soil is of deep mold, equal to any other section of the country, while to the eastward it amply rewards the labor of the husbandman. The climate of the state is intermediate, or between the extremes of the northern and southern sections of the country. The spring and autumn months are the pleasantest of the year, and during these seasons the weather is serene and delightful. The state is regarded as the most salubrious on the continent, and life, it is said, is of more than average duration.

The growth of forest trees varies according to elevation and location, but differ but little perhaps, in their character, from those

*Zell's Encyclopedia.

of other portions of the middle Atlantic region. The following, concerning the mineral wealth of Pennsylvania, is quoted from Lippincott's Gazetteer.

"Pennsylvania stands first among the United States in the abundance of her coal and iron. Though not possessing a great variety of rare minerals, and none of the precious metals, she has those which have made England the wealthiest and most powerful nation on the globe, while Spain and Portugal, with their gold, silver and diamond mines, have become poor in natural wealth, and have sunk to a low degree of political influence. Owing, no doubt, to her homely but useful minerals, Pennsylvania has advanced, between 1840 and 1850, in a greater ratio in population than even the Empire State (New York), or that vigorous and youthful giant of the west, Ohio. The vast anthracite coal fields of Pennsylvania lie mostly between the Delaware and Susquehanna rivers, about the head-waters of the Lehigh, Schuylkill and Lackawanna. In 1854 this region sent to market 5,919,555 tons of coal; in 1864, the product had increased to 10,564,926. Nearly half of this came from Schuylkill county. At Blossburg, in Tioga county, and in Clinton county, are mines of bituminous coal said to be equal, if not superior, to the Newcastle coal of England; while the region around Pittsburg, the commencement of the coal field of the Mississippi valley, abounds in coal of the same kind, but little inferior in purity. Cannel coal of fine quality is found in Beaver county. The bituminous coal mined in western Pennsylvania in 1864 was estimated at 3,000,000 tons. Petroleum abounds in the western part of the state. The best evidence of the quality and excellence of the iron of Pennsylvania is the fact, according to the census report of 1850, that nearly half of the pig, cast and wrought iron manufactured in the Union was from her forges and furnaces. This state also abounds in lime, marble, slate, and stones suitable for building. Marble is particularly abundant in Chester and Montgomery counties. The most important copper mines in Pennsylvania are in the same counties. Zinc is mined in the vicinity of Bethlehem, plumbago in Bucks county, and lead in Chester and Montgomery counties. A bed of this mineral, of great richness, is reported to have been discovered recently in Blair county. Chromium occurs in Chester and Lancaster counties.

Scattered over the state are some of the following minerals: titanium, plumbago, magnetic iron ore, iron pyrites, magnesia, talc, asbestos, barytes, zircon, tourmalin, marl, etc. Salt springs exist on the Monongahela, Kiskeminitas and Beaver rivers, and in other parts of the state. Nearly 12,000,000 bushels of salt were manufactured here in 1860. Nitre or saltpeter has recently been discovered in an extensive deposit and of great richness, in the central part of the state. The production of petroleum is a great interest, and large quantities are exported."

As a manufacturing state Pennsylvania is entitled to the highest rank and importance, being justly celebrated, not only for the working of iron and the manufacture of steel and glass, but also for her textile industries. Her position is most important in the manufacture of yarn and cotton stuffs. Steam engines, machinery, cutlery, nails, stoves, leather, chemicals, etc., are all products of her scientific and mechanical skill. Since 1825 the state has made marvelous advances in her great systems of internal improvement. In 1868 there were over 4,000 miles of railway within its borders, costing over \$200,000,000, and over 1,000 miles of canal communication, at a cost of \$40,000,000. The principal towns and cities of the state are, Philadelphia, Pittsburg, Alleghany, Harrisburg, Scranton, Lancaster, Reading, Erie, Easton, Norristown, York, Carlisle, Allentown, Pottsville, Williamsport, Oil City, Wilkesbarre, Altoona, etc.

Harrisburg, the capital of the state, is situated on the east bank of the Susquehanna, about one hundred and ten miles north of Washington.

Philadelphia, the metropolis of the state, and the second city in the United States, was settled by a colony of Swedes in 1627. In 1682 William Penn arrived, and the following year the city was laid out, with a population of about 2,500. In 1729 Independence Hall was commenced, and completed in 1734. September 4, 1774, the first colonial congress assembled. July 4, two p. m., the Declaration of Independence was read from the steps of the hall. The autumn of the same year congress retired to Baltimore. September 26, 1777, the city was taken by the British and occupied to June, 1778, during which time a census was ordered by the British General Cornwallis, showing the population to be 21,-

767. The sessions of Congress were continued in the city after its evacuation by the English up to 1800, when Washington became the capital of the nation.

Independence Hall is an unpretending structure of brick, characterized by little save its aspect of antiquity and the historical reminiscences surrounding it. The Bell of Independence is suspended above the vestibule entry, beneath the steeple, and was cast by Messers Pass & Stowe, in Philadelphia, early in 1753, from the metal of a bell cast in London, and which arrived in the city by the ship *Matilda*, Captain Budden, in August, 1752. This original bell was cracked before it came formally into use; the first casting from its metal was not fully satisfactory, and a second attempt produced the bell now shown, which was placed in the State House steeple in June, 1753, and is the one which actually announced the Declaration of Independence nearly a quarter of a century after its erection.

This bell was emphatically the "Town Bell" for more than half a century. It was cracked in tolling the announcement of the death of a celebrated citizen. Its successor was cast by J. Wilbank, of Philadelphia, and placed in the new steeple then just finished, September 11, 1828. It was taken down to give place to the one presented along with the Centennial Clock, by Mr. Henry Seybert, A. D. 1876. The Wilbank bell is now on the Town Hall at Germantown.

The public buildings and edifices of the city are massive and beautiful, and rank among the finest in America.

Girard College, United States Custom House, the Mint, State House, Merchant's Exchange, Masonic Temple, etc., are handsome and imposing structures. Its scientific, literary and educational institutions are noted for their high standards of excellence. Independence, Washington, Rittenhouse, Logan, Franklin, Jefferson and Norris squares are handsome enclosures, beautifully and elegantly adorned with fountains, trees and shrubbery. Fairmount park, where the great Centennial exhibition was held in 1876, in its environments and peerless scenery, is unequalled by any other park in the world. Distinguished as the great Quaker City, and founded by William Penn, it has the additional honor of urning the ashes of the immortal Franklin. Its population in 1870 was 674,022.

The United States mint was established by an act of Congress, April 2, 1792, after which a building was soon erected on the east side of Seventh street, above Market, for the use of the mint. The first director was David Rittenhouse, who was appointed by George Washington, April 14, 1792. The first money coined by the authority of the United States was in 1793. The coins first made were copper cents. In 1794 silver dollars were made. In 1795 gold eagles were made. The metal first used, as well as the machinery, was imported, great trouble having been experienced in procuring a supply of copper. The first copper used in the mint came from England. In 1816 steam was introduced, prior to that the work having been done by hand or horse-power. The corner stone of the present edifice, on the north side of Chestnut street, below Broad, was laid July 4, 1829, by Samuel Moore, who was then director, but it was not ready for occupation until May, 1833. The structure is of marble, in the Grecian architecture, and was made fire proof in 1854.

From a work entitled *The Navigator*, published by Zadok Cramer, Pittsburg, Pennsylvania, in 1808, we extract the following, concerning the Iron City:

"Pittsburg is delightfully situated at the head of the Ohio river, on the plain or point of land formed by the junction of the Allegheny and Monongahela rivers; the former running from the northeast, and the latter from the southwest, making an angle where they unite of about thirty-three degrees. On the point stood the old French garrison known by the name of Fort Du Quesne, which was evacuated and blown up by the French in the campaign of the British under General Forbes, in 1758. The appearance of the ditch and mound, with its salient angles and bastions, are still to be seen.

"Just above Fort Du Quesne is the remains of the garrison built by General Stanwix, called Fort Pitt, after the late Earl of Chatham, and is said to have cost the British nation sixty thousand pounds sterling, about \$266,666.66. The bricks which composed the walls of this garrison have been applied to building houses, which are distinguishable from the rest of the brick houses in town by the whiteness of the color impressed on them by the strength of the lime and cement used in their first application.

“ Within the embankment are still some of its barracks and a strong stone powder magazine, the only remains of the British buildings.

“ Fort Pitt, being included in one of the manors of the Penn family, was sold by the proprietaries, and now makes a part of the town of Pittsburg, though its banks and ditches form a considerable obstruction to its being regularly built on, and very much spoil the beauty of the view from the head of Liberty and Penn streets, to the Monongahela river.

“ Fort Fayette, the present garrison, built in the year 1792, is also within the borough, and stands on the Allegheny river.

“ In the year 1760, a small town, called Pittsburg, was built near Fort Pitt, and about 200 families resided in it ; but upon the Indian war breaking out in May, 1763, they abandoned their houses and retired into the fort.

“ The bottom or plain on which Pittsburg stands would seem, from circumstances, to have been made ground, and the Allegheny river to have once washed the base of Grant's hill ; but through time and accident, found its way by small progressions, from that hill to its present bed. There are two rises, or what are called first and second banks, running parallel with that river, which would seem to have once formed its eastern margin. These elevations make beautiful situations for either gardens or buildings. In digging wells in the town, the various kinds of sand and gravel are found as appear on the beaches and in the beds of the rivers ; pieces of wood and strata of dirt and leaves are also frequently discovered eight or ten feet below the surface. The Allegheny is now working itself back again. It has washed away about fifty or sixty feet of ground on its eastern bank within thirty years.

“ This plain, which is of a rich sandy loam, is about half a mile in width from the Allegheny to the point of Grant's hill, its widest part ; thence up that river it gets narrower, until about four miles, where the hill closes to the river bank. But the town may extend as far as the Two Mile run ; the bottom that distance is spacious, and well calculated for building on. It is now enclosed in orchards, meadows and grain fields, and produces fine crops of each.

“ The present town of Pittsburg was first laid out in the year 1765 ; it was afterward laid out and surveyed in May, 1784, by

Colonel George Woods, by order of Tench Francis, Esq., attorney for John Penn, Jr., and John Penn. The beauty and very commanding situation of the place has increased its buildings, population and business beyond all calculation. It now contains about five hundred dwellings, the greater number perhaps wood, some stone, and many elegantly built with brick, two and three stories high. The public buildings are : A large and spacious court house handsomely built with brick ; a large brick market house ; these are placed in the public square, having Market street running between them ; a stone jail ; a bank established here January 1, 1804, being a branch of the Pennsylvania bank, also of stone ; a large stone house on the bank of the Monongahela, four stories high, built by the Evans's of Philadelphia, for a steam grist and paper mill, not yet in motion ; a handsome octagon Episcopal church ; a handsome and spacious Presbyterian church ; a Covenanter's, German Lutheran, and a Roman Catholic church, and an academy, all of brick ; a large and convenient frame warehouse, for the storage of goods, at the end of Wood street, on the bank of the Monongahela, built and owned by Mr. Thomas Cromwell.

“It is highly probable that Pittsburg will become, from the many advantages which nature has placed within the grasp of its inhabitants, added to those which may arise from the addition of art, one of the most considerable inland manufacturing towns in the United States. Indeed we can draw at this time a tolerable good picture of our future eminence by a view of the present state and number of our manufactories, artists and mechanics, each pursuing his business in a manner perhaps unparalleled, for vigilance, ingenuity and industry.

“The inhabitants (souls) of this place are about three thousand in number ; they are a mixture of many nations, principally, however, Americans ; a good many Irish, and some English, some Scotch, some French, Dutch and Swiss, and a few Welch and Italians. To be thus brought together from all quarters, with their various fashions, prejudices and passions, in religion and politics, they are generally friendly to each other, hospitable, and disposed to encourage each in his particular business in proportion to the appearance of industry and good behavior.

'Talents and education are not deficient in Pittsburg. The bar and pulpit are well filled. Some of our lawyers are perhaps not excelled by any in the United States, either for eloquence or legal knowledge. The benefit of well regulated schools, the circulation of public prints, and a public library, form the basis of the minds of the people. The free use of these keeps them in the habit of thinking, reflecting, and acting deliberately; and in all public and national concerns enables them to act as becomes the free citizens of a great and independent nation, with firmness and unanimity. Theatrical performances are sometimes attended to by the young gentlemen of the place, by way of improvement to themselves, and amusement to the town; not for gain. An Apollonian society forms also a school for improvement in instrumental music; while masters are employed for teaching the government of the voice in sacred harmony.

"On the other hand, the education of young ladies is by no means neglected; their minds are early impressed with the habit of industry; at the same time they are engaged in learning the use of their needle, pencil, music and dancing, having already acquired the more useful branches of education, reading, writing, arithmetic, grammar, geography and letter writing.

"Pittsburg is the seat of justice for Allegheny county, Pennsylvania, and has, with justice, been emphatically called the "Key to the Western Country." It is three hundred miles west by north of Philadelphia, two hundred and fifty-two from Washington City, about three hundred and thirty-five from Lexington, Kentucky, and about eleven hundred from New Orleans by land, though two thousand by water. It is in latitude forty degrees and thirty-five minutes north; longitude eighty degrees and thirty-eight minutes west, being about five degrees westward of Philadelphia.

"The fogs on the rivers, though sometimes very heavy, prove rather salubrious than otherwise; being the exhalations of the sun during the day, from limpid streams, and the moisture of a fragrant and luxuriant wood.

"On entering the town the stranger is rather offended with its dark and heavy appearance. This arises from the smoke of the coal, which is used as the common fuel; and of which about one

hundred and seventy thousand bushels are consumed annually. It costs six cents a bushel at your door, and is said to be equal to any in the world. Our rough hills are filled with it, and our rooms in winter feel the effects of its warmth and cheerfulness. Wood, as an article of fuel, costs two dollars a cord, delivered. The abundance and cheapness of coal will be peculiarly advantageous to Pittsburg in her progress in arts and manufactures. Coal Hill, on the south side of the Monongahela, abounds in coal; and a pit in it is said to have taken fire about the year 1765, and continued burning for eight years; and another pit on Pike run, which burned for ten years. This is a high and steep hill, and its top affords a handsome prospect of the town and rivers below it.

“From the immense quantity of coal burnt there arises a cloud of smoke which hangs over the town in a body, and may be seen at two or three miles distance; when in the town, this cloud of smoke is not discovered, and the place soon becomes familiar to the eye, while the ear is occupied with the mixed sounds of the implements of industry, from four o’clock in the morning till ten at night.

“Pittsburg is a place of general deposit for goods going from the seaports to the westward. By an act of Congress it is made a port of clearance for all goods, wares, etc.

“From the year 1802 to 1805 the following vessels were launched at the ship-yards: The ships Pittsburg, Louisiana, General Butler, and Western Trader; Brigs, Nanina, Dean, and Black Walnut; Schooners, Amity, Allegheny, and Conquest. The Monongahela Farmer and brig Ann Jean were built at Elizabethtown.

The Pittsburg of 1879 presents an amazing contrast with the Pittsburg of seventy years ago. Next to Philadelphia, it is the leading city in the great state of Pennsylvania, with a population in 1870 of 86,076. Its site is that of a vast amphitheater, the rivers flowing in channels from four hundred and fifty to five hundred feet below the highest peaks of the adjacent hills, which are full of bituminous coal, easily mined, and contributing to it the immense manufacturing facilities for which it is world-renowned. From the lofty spurs of the hills and mountains surrounding it the views and scenery are most picturesque and grand. The city is

compactly and massively built, and, owing to its geographical position, and its railway and river communications, it has become one of the great commercial and manufacturing centers of the continent. Its public buildings, Postoffice, Custom House, Court House, etc., are of handsome design and in the excellencies of architectural beauty. Its cathedrals and churches (and it may be pronounced the city of churches) are in the best style of ecclesiastical building. Its educational and benevolent institutions are products of the intelligence and humane genius of the people.

A recent writer, in illustrating the magnitude of manufactories and factories of the city, said :

“The real fact is, that actual measurement shows that in the limits of what is known throughout the country as Pittsburg, there are thirty-five miles of manufactories of iron, of glass, of steel, of copper, of oil, of wool, of cotton, of brass, alone, not to include manufactories in other materials, nor including any of less grade than manufactories of iron chains in iron, or plows in wood. A measurement of the ground also shows that these thirty-five miles of factories are so closely contiguous that were they placed in a single row each factory would have but four hundred feet of front space for its workings. * * *

“Thus, in a distance of thirty-five miles of streets there are four hundred and seventy-five manufactories of iron, of steel, of cotton, of oil, of glass, of copper, etc. * * *

“The territory over and around which this immense chain of machinery is strung, though all popularly known as Pittsburg, is composed of the city of Pittsburg and the city of Alleghany, the boroughs of Temperanceville, West Pittsburg, Monongahela, South Pittsburg, Birmingham and East Birmingham, * * * a population in this line of industry numbering 200,000 souls. * * * In the great swell of the population of the West, Pittsburg seems not only to keep pace and hold her trade, but that trade, like her population, seems to increase in arithmetical proportion with the growth of the country.

Considering the industry, integrity, intelligence, morals and wealth of her people, it requires no oracle to forecast her future; for it may be said of her, as it was over seventy years ago, that “in talent and education she is not deficient;” that “her bar and pul-

pit are well filled," etc. A cursory glance at the footings of her coal products demonstrates how inexhaustible are the forces which underlie her wonderful development, and what a mighty "magnet she possesses to attract to her boundaries minerals and staples of all the states, population and wealth." Nor are her astounding industries confined to her "black diamond" deposits alone. It has been estimated that nearly one-half of the glass manufactured in the United States are the products of her factories. In the working of iron and steel she maintains almost invincible supremacy, and in the production of petroleum the field is largely her own.

The multiplied diversity of her immense manufacturing enterprises has imparted to her a stamina and solidity of growth possessed by few cities in the world. "Although she has grown apparently but slowly, yet she has grown like the oak, and but counts her infancy in the years in which other cities spring and mature; and she stands like a sooty giant astride the head waters of the Ohio, rejoicing in the lusty strength of her fresh youth, while her powerful servant, the mighty Genii of the Mine, throughout the waters of the Ohio, along the shores of the Father of Waters, around the borders of the great lakes, on either hand of the pathway of the iron horse, athwart the western prairies, proclaims her the dusky Queen of industry, and commands homage to her iron sceptre in three-fourths of the states of the Union."

From the beginning of the eighteenth century till the commencement of the American revolution the government of Pennsylvania was generally administered by deputies, appointed by the proprietaries, who mostly resided in England. In 1627 it was settled by the Swedes and Fins, but they were conquered by the Dutch in 1654. "In 1655 they were compelled by the Dutch to submit to the authorities of New Amsterdam, and in 1664 passed under the rule of the English. In 1681 Charles II. granted the territory west of the Delaware to William Penn, in payment of a debt due by the British government to Penn's grandfather. Penn colonized his grant at once, with members of his own faith (friends or quakers), and in 1682 founded the city of Philadelphia. His grant included the present state of Delaware, which was then known as the "lower counties." In 1699 Pennsylvania granted these counties a separate assembly, but they continued subject to the author-

ity of her governor until 1776, when, upon the breaking out of the revolution, they formed an independent establishment. Penn's charter failed to define with exactness the boundaries of his grant, and this led to considerable unpleasantness with the neighboring provinces, which was not settled until 1767, when the surveys of Mason & Dixon definitely established the boundaries of the province."* The federal constitution was adopted in convention, December 13, 1787, by 46 to 23.

William Penn was the first colonial governor, 1682, and Thomas Mifflin, the first under the constitution, from 1790 to 1799. It received its name in 1681, from William Penn. Popular name, "The Keystone State."

NEW JERSEY.

New Jersey is almost environed by water, the Hudson river, the Atlantic ocean and Delaware bay and river, encircling it except on the north. It was one of the original thirteen states. Its greatest length north and south is 167 miles; average breadth 40 miles, and maximum breadth 58 miles. It includes an area of 7,576 square miles, or 4,848,640 acres. Population in 1790, 184,139; 1800, 211,149; 1810, 245,562; 1820, 277,426; 1830, 320,823; 1840, 373,306; 1850, 489,555; 1860, 672,035; 1870, 906,096.

The southern and middle divisions are, for the most part, level and sandy; but the surface of the northern and northwest sections is generally diversified, frequently hilly and occasionally mountainous. The shores of the Atlantic, south of latitude forty degrees, are continuously bordered with long, low sand islands. The section of mainland, extending parallel to these islands and of considerable width, is likewise marshy and low, and the corresponding region along the Delaware bay is of the same character. Further inland the surface rises, though very gradually and is mainly of sandy soil. In the northeast part, along the Hudson river, are the Palisades, twenty miles long and from 200 to 500 feet in height. A ridge of the Appalachian chain extends across the northwest part of the state, on the east side of the Musconetcong river and east boundary of Sussex county, comprising Schooley's mountain and

*McCabe's Illustrated History of the Great Republic.

other elevations. The extreme northwest part is traversed by the Blue Ridge of the same system.

The more important rivers of the state are the Delaware, separating it from Pennsylvania; the Passaic, Hackensack, Raritan, Rahway, Navesink, Shrewsbury, and Little and Great Egg Harbor rivers, all discharging themselves into the Atlantic ocean—the majority of them being better suited to economic purposes than navigation. New Jersey possesses but few harbors, although bounded on three sides by navigable waters. Between Staten Island and Sandy Hook lies Raritan bay, which supplies ready communication from Amboy, the principal sea-port of the state, to the Atlantic.

The climate of the state is diverse and irregular, governed by elevations and localities, that of the south and north being perceptibly different. In the swamp and marsh regions, where dank and mephitic exhalations inoculate the atmosphere with their poisons, agues and malarial fevers of virulent types prevail. But in the more elevated portions, the climate is sustaining and salubrious, and on the eastern shore, at Shrewsbury and Cape May, in the summer season, pleasure seekers and invalids find an attractive resort at which they may enjoy many of the luxuries of gay society and rustic retirement.

The productive power of the soils of the state is mostly dependent on the topography of the country, the agricultural areas lying or being comprised in the alluvial valleys. The coast region as well as some of the interior ranges are comparatively sterile and profitless. Other sections of the state not normally fertile, by the introduction of marls and other fertilizing agencies have been stimulated to remarkable fecundity. The vegetation of the country is similar to that of the central regions of the United States generally.

The middle or central division is the best cultivated, most highly improved and wealthiest portion of the state. It has been described as a vast "market garden" whose products find quick demand in Philadelphia and New York. The apples grown in this region are equally popular with the peaches and other semi-tropical fruits and vegetables of the southern section. Geological explorations have demonstrated that throughout the state, in the hillier portions, the most valuable minerals are deposited. In the county of Sussex are found the most important zinc mines of the

country. The most beautiful marble, susceptible of finest polish, exists at Mendham, and is adapted to uses of ornamental architecture, and which has the strongest resemblance to the marble of Florence. Copper is found in considerable quantities, and iron occurs abundantly in all its forms. Limestone, copperas, glass-sand, slate, peat beds, and vast depositions of marl are found, the latter affecting a complete metamorphosis in soils to which it is accustomed. Manufacturing is conducted on a large scale, and many of the establishments of the state illustrate the economic value of first-class water-power.

Newark, the largest city of New Jersey, is situated on the Passaic river, on a fertile plain, and slightly elevated above the river. Trenton is the capital of the state, and is located on the east side of the Delaware river. It possesses a fine site for manufacturing purposes, with abundant water-power. It was settled about 1720, and memorable for the battle of Trenton, on the night of December 25, 1776, when Washington crossed the Delaware and captured the Hessians of the British army.

The earliest settlement of New Jersey was made by the Dutch, in 1612. The territory comprised in the state was included in the patent granted by Charles II. to his brother, the Duke of York, in 1664, and in the same year conveyed to Lord Berkley and Sir George Cartaret, when it received the name of New Jersey. It then contained but a few families. March 3, 1677, New Jersey was divided into two provinces, East Jersey and West Jersey. In 1682 East Jersey was transferred to William Penn and eleven associates, and Robert Barclay, the celebrated author of the "Apology for the Principles of the Quakers," was appointed governor. In 1702 East and West Jersey were again united into one province by the name of New Jersey, under the governor of New York; and this connection with New York continued till 1738, when a separate government was instituted, which lasted until the American revolution. New Jersey adopted the federal constitution by a unanimous vote in 1787. The first colonial governor was Lord Cornbury, 1730, and the first under the constitution was William Livingston, from 1789 to 1794. It received its name in 1664 from the island of Jersey, on the coast of France, the residence of Sir John Carlet.

DELAWARE.

Delaware is the smallest of the United States except Rhode Island, with a length of 97 miles, by a maximum breadth of 37 miles, possessing an area of 2,120 square miles, or 1,356,800 acres. Population in 1790, 59,096; 1800, 64,273; 1810, 72,674; 1820, 72,749; 1830, 76,748; 1840, 78,085; 1850, 91,532; 1860, 112,216; 1870, 125,015. It was one of the original members of the Union. The principal portion of the state lies on the Atlantic plain; its eastern slope being washed by the Delaware bay. Its coast furnishes no good harbors, but presents many long sandy beaches to the waves. Agriculture is one of the principal vocations of the inhabitants; but in sections where there is abundance of water-power manufactures have long been in existence, and are in a prosperous condition. The soils in the northern parts of the state, along the Delaware river and bay, are productive, and adapted to most agricultural staples, but in other localities, as along the shore, it is of inferior quality. Dover is the capital of the state, and is in Kent county, fifty miles south of Wilmington, and five miles from the Delaware river.

Delaware was first settled by the Swedes and Fins, under the patronage of Gustavus Adolphus, and received the name of New Sweden. They were subdued in 1655 by the Dutch, who in turn surrendered it to the English in 1664, and named it Delaware. In 1682, when the state of Delaware, as a county, was granted to William Penn, under the same executive and legislative government with Pennsylvania, it was then, as it is now, divided into three counties, New Castle, Kent and Sussex, and generally styled, until the American Revolution, "the Three Lower Counties upon the Delaware." In 1701, the representatives for Delaware withdrew from those of Pennsylvania. The first legislative assembly met at New Castle, in 1704, and it ever afterwards continued distinct from that of Pennsylvania, though the same governor presided over both provinces till the 4th of July, 1776. On the 20th of September of this year it adopted a state constitution, and on the 7th of December, 1787, it ratified the constitution of the United States.

William Penn was the first colonial governor, and Joshua Clayton the first under the constitution, from 1789 to 1796. It was

named Delaware in 1703 from the bay on which it lies, and which received its name from Lord De La War, who died in this bay. Popular names, "The Blue Hen, or Diamond State."

PART XIII.

THE SOUTHERN STATES.

MARYLAND.

The extreme length of the state of Maryland, one of the original thirteen, is nearly 200 miles, and its greatest breadth 120 miles. It is estimated there are contained in its superficies 11,124 square miles, or 7,119,360 acres, a considerable portion of which is covered by the waters of Chesapeake bay, with its various inlets. Population in 1790, 319,728; 1800, 341,548; 1810, 380,546; 1820, 407,350; 1830, 447,040; 1840, 470,019; 1850, 583,034; 1860, 687,049; 1870, 780,894.

The surface of this state is naturally divided into three distinct regions or geographical sections. The first comprises the east part of the state, and is divided by the Chesapeake bay into unequal sections called the eastern and western shore, which are much alike in their general features of low and level surface and sandy soil. The second extends between the head of tide-water and the mountainous district, and is characterized by hills of moderate elevation and a belt of stratified rock of variable width. The third division consists of the mountainous district, which comprises the north-west part of the state. The Chesapeake bay extends about 120 miles within the state and divides it into two portions; it has a mean breadth of 15 miles, and is throughout navigable for large ships. It is distinguished for the quality, variety and multitude of game which it supplies, no less than for the endless quantity of oysters which it furnishes, and is withal one of the loveliest expanses of water imaginable.

With the exception of areas of sterile lands in proximity to the

coast the soils of the state are remarkably fertile. They are adapted to most of the cereals, more especially to Indian corn. Tobacco is one of the great staples, and in some districts is almost exclusively grown. Its minerals are coal, iron, cobalt, lime, porcelain-clays, alum, magnesia, marble, etc., and gold, copper and traces of nickel have been discovered. It must be admitted that in the extended range of its geologic formations Maryland is favored with solid physical elements of prosperity.

Annapolis was made the capital of the state in 1689 (then called Providence), and is situated on the west side of the Severn river, three miles from the Chesapeake bay. It is the seat of St. John's College, founded in 1784, and of the United States Naval Academy, established in 1845. Baltimore, a great commercial city, and, next to St. Louis, the most populous of the southern states, was founded in 1729, and named from Lord Baltimore. In 1765 it contained but fifty houses. It was chartered as a city in 1797, and in 1870 had a population of 267,354.

The first colonial governor was Lyonel Copley, 1692, and the first one under the constitution was John Eager Howard, from 1788 to 1792.

In 1632 Maryland was granted by Charles I. of England to Sir George Calvert (Lord Baltimore); but before the patent was completed he died, and the patent dated June 20, 1632, was given to his eldest son Cecilus, who succeeded to his titles, and who, for upwards of forty years, directed, as proprietor, the affairs of the colony. Leonard Calvert, brother to Cecilus, Lord Baltimore, was appointed the first governor, and he, together with about two hundred persons, commenced the settlement of the town of St. Mary's, in 1634. These settlers of Maryland were refugees from ecclesiastical tyranny, and have been denominated by historians the "Pilgrims of St. Mary's." The first governor was Leonard Calvert, and the first legislative assembly met in 1639. From the close of the French war to the opening of the revolution, the history of Maryland, like that of many of the other colonies, is a narrative of violence and wrongs upon public liberty, attempted by the royal government and resisted by the people. August 14, 1776, the delegates who had been elected to frame a constitution and state government assembled; by September 10, reported a constitution and

bill of rights, which was adopted November 3, and elections ordered to carry it into effect. In pursuance of the constitution the elections took place in November, and the legislature convened at Annapolis, February 5, 1777. February 13 Thomas Johnson was chosen the first constitutional governor of Maryland. The federal constitution was ratified April 28, 1788. The name *Terra Mariæ* or Maryland, was assigned it in honor of Henrietta Maria, queen of the reigning monarch.

DISTRICT OF COLUMBIA.

The District of Columbia was organized under the first article of the constitution of the United States: "Congress shall have power to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten square miles) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States," etc. In pursuance of which provision the state of Maryland, December 23, 1788, passed "an act to cede to Congress a district of ten miles square in this state, for the seat of the government of the United States." And the state of Virginia, December 3, 1789, passed "an act for the cession of ten miles square, or any lesser quantity of territory within this state, to the United States, in Congress assembled, for the permanent seat of the general government. These cessions were accepted by Congress, as required by the constitution, and the permanent seat of government established by the "act for establishing the temporary and permanent seat of the government of the United States," approved July 16, 1790, and the act to amend the same, approved March 3, 1791.

The district of ten miles square was accordingly located, and its boundaries and lines particularly established by a proclamation of George Washington, president of the United States, March 30, 1791, and by the "act concerning the District of Columbia," approved February 27, 1801, Congress assumed complete jurisdiction over the said district, as contemplated by the framers of the constitution.

The capital was so called in honor of George Washington; Daniel Carroll, David Stuart and Thomas Johnson being the commis-

sioners who decided the name. In 1800 the public offices were removed from Philadelphia. On the third Monday of November of that year, Congress first met, and the act assuming jurisdiction was approved, February 27, 1801, by President John Adams. The city was laid out by L'Enfant, a Frenchman, who built the city hall in New York, where Washington was inaugurated president, and by whose direction he made the plan of the capital. A man named Pope once owned the site of the city, and named it Rome.

The city was incorporated May 3, 1802. The area of the district was originally 100 square miles, now, about 60. Population in 1850, 51,687; 1860, 75,080; 1870, 131,700. In 1846 that portion of the district lying south of the Potomac was retroceded to Virginia, by act of Congress. Slavery was abolished in the district by act of Congress, approved April 16, 1862.

The government consists of a governor and an assembly. The governor receives his appointment from the executive, by and with consent of the senate. The district is represented by one delegate in Congress, and the inhabitants thereof are not permitted to vote for the president or vice-president of the United States.

VIRGINIA.

Virginia, one of the original thirteen states, has an area of 37,352 square miles, or 23,905,280 acres; its greatest length, from east to west, about 425 miles; mean length, 350 miles; mean breadth, 210 miles; extreme breadth, 280 miles. Population in 1790, 747,610; 1800, 880,200; 1810, 974,600; 1820, 1,065,116; 1830, 1,211,405; 1840, 1,239,797; 1850, 1,421,661; 1860, 1,596,318; 1870, 1,225,163.

"No state in the Union presents a greater variety of surface and climate than Virginia—from the mountains of the interior, and the rugged hills east and west of them, to the rich alluviums of the rivers, and the sandy flats on the sea-coast. The greatest extent of mountains, and the greatest variety of timbers are found in this state."*

The state is characterized by boundless areas of mineral wealth,

*General John B. Imboden.

and in some localities the more precious deposits are found. In Fauquier county, copper ores prevail that carry a high percentage of purity. Gold, iron, lead, lime, salt, gypsum, marls, alum and magnesian earths; granite, marble and sandstones represent the diversity of its deposits. Beds of bituminous coal of remarkable thickness are found near Richmond, and anthracite of great purity is found in the valley from the Potomac to the James. Salt springs are of frequent occurrence, and the mineral waters of the state have long been distinguished for their great efficacy and health-giving qualities.

The soils of the state are naturally of a productive nature, but require judicious management and the application of fertilizers to insure a uniform fertility. Large quantities of tobacco are annually raised in the basins of the James, York, Potomac and Rappahannock rivers. The valley of Virginia is well adapted to the production of cereals, its soil being extremely rich. Cotton is also raised in some sections of the state. Beyond the mountains, and westward to the Ohio river, is a fine country, suited in its climate and soil to the tillage of all the grains and general products of the middle states, and correspondingly favorable to the raising and breeding of cattle. A distinguishing feature of Virginia is its magnificent and picturesque natural scenery, the natural bridge below Lexington being, according to Thomas Jefferson, "the most sublime of nature's works."

Throughout the state exist a variety of caves and subterranean recesses. What was originally known as Weir's cave is very extensive, and "its numerous halls and chambers are pillared with an astonishing profusion of stalactites, which, in some places, resemble stiffened water-falls, in others hanging in rich festoons and folds like tapestry, or seem to rise from the floor like columns, thrones, towers or statues. It extends one thousand two hundred and sixty feet into the ground, and contains upwards of twenty large rooms, besides numerous passages and galleries. One of these halls is two hundred and sixty feet in length, thirty-three feet high and from ten to twenty feet wide; and another is one hundred and fifty-three by fifteen feet, with a height of sixty feet."*

Richmond is the county seat of Henrico county and the capital

* Colton's Gazetteer.

of the state, and is situated on the northeast bank of James river. The site of the city was first visited by the whites about 1609. The town was founded in 1742, and made the capital of the state in 1780. In 1811, December 26, occurred the destructive conflagration by which seventy-two lives were lost in the burning of the theater, the governor of the state being included in the number. It was assaulted and captured by the British under Benedict Arnold in 1781. In 1800 its population was 5,737, and in 1870, 51,038.

Virginia, known as the Old Dominion, was named by Sir Walter Raleigh, in honor of Elizabeth, England's virgin queen. He had received grants of the country from her, and attempted to colonize it, but failed; and subsequently, upon his attainder and execution, these grants were forfeited or vacated. It was first settled at Jamestown, in 1607, by a party of 105, sent out by the London company. The government of the colony was originally administered by a council of seven persons, with a president, among whom, in the first council, were Gosnold, John Smith,* John Ratcliffe and Edward Wingfield. Afterwards it was administered by a governor, appointed, except during the commonwealth in England, by the Crown. Wingfield was the first president, but from unprincipled and criminal conduct was expelled, Ratcliffe being chosen as his successor, but who, on account of incapacity, was deposed to give place to John Smith. Through the efforts and indomitable resolution of Smith the fortunes and destiny of the struggling colony were, in a measure, preserved. Of his conflict and capture by the Indians, his death-sentence by Powhattan and its revocation by the heroic interposition of his daughter Pocahontas, all readers of American history are cognizant. The situation at Jamestown, and the manner in which matters were conducted, proving unsatisfactory to the English company, and impressed with the idea that a new charter, with a wider range of privileges, would materially augment their profits, they applied and procured one in 1609. The government of the colony in their hands, Lord Delaware was appointed governor for life, and five hundred emigrants sent to Virginia. Sir Thomas Gates, Christopher Newport and Sir George Somers having been appointed to administer the affairs of the colony, until the new gov-

* John Smith was a native of Willoughby, county of Lincolnshire, England, where he was born in 1579. He died in London in 1631.

ernor would arrive, were at once sent to Virginia, bringing with them accessions to the colonial population. Captain Smith, feeling that his authority was superseded, did not exert himself to maintain his power, which partial abandonment on his part resulted in confusion and disaster. Alarm and excitement becoming prevalent, at the solicitation of a number of the leading colonists he once more renewed his duties, soon, however, to relinquish them, this time by compulsion, as he encountered a serious accident from an explosion of gunpowder. Things did not prosper now, in the colony, and its members became addicted to vice and idleness. The calamities of famine and spectral forms of starvation shadowed the little settlement; the Indians grew fierce and predatory, and what was known as the "starving time," was visited upon the colony. Of the five hundred persons Captain Smith left behind him, it is instanced that in six months not more than sixty remained.

In this agony of distressful gloom and bitter disaster Lord Delaware arrived in 1610, with provisions and supplies, when contentment was speedily restored, and the era of prosperity commenced. In 1619 the first legislature was convened, and during this year "twelve hundred colonists were sent over, including ninety respectable young women, who were sold to the planters as wives for one hundred pounds of tobacco (worth \$75), the price of their passage from England. One hundred felons were also sent over from the English prisons, by the express order of the king, and sold to the colonists as slaves. In the same year a Dutch trading ship anchored in the James, and sold a number of slaves to the planters, thus introducing African slavery into the New World."* The population of the colony is described as consisting of "15,000 English and 350 good English servants." In 1641 Sir William Berkeley, a stout royalist, was appointed governor. From 1619 to 1775 Virginia possessed a legislative body of her own, known as the House of Burgesses. In 1662 the Church of England was re-established by law, severely proscribing "Non-Conformists, Quakers and Anabaptists." In 1671 the population was supposed to be "40,000, including 2,000 black slaves and 6,000 Christian servants, of whom about 1,500 were imported yearly, principally

* McCabe.

English." The latter were chiefly composed of convicts. During the revolution in England, Virginia clung closely to the cause of the monarch, and even after the death of Charles I. refused to acknowledge the commonwealth. Her submission was coerced by directing against them an armament; but the sentiments of the colonists were again avowed, for even before the restoration in England, the authority of Charles II. had been acknowledged in Virginia. But in the face of this loyalty of the inhabitants they were victimized by the cupidity and arbitrary monopolizing system of the home government. By a patent of the king (Charles II.) a grant of the colony was made to Lords Arlington and Culpepper, two of his favorites, and the grinding extortion of taxation by Berkeley, who had been re-elected governor, induced what is known as the "Bacon Rebellion," 1676. On the return of Berkeley to England he was succeeded by Lord Culpepper, who brought with him a number of bills drafted by the English ministry, the object of which was the increase of his emoluments, the assent of the legislature to which he required upon the condition of being treated as rebels.

"During the reign of Charles II. and James the colony suffered much, and rejoiced greatly in the change of government that drove the Stuarts from the throne." In 1732 she gave birth to her most illustrious son, George Washington. In 1689 she acquiesced, though with considerable reluctance, in the advent of William and Mary to the throne of England. Slaves were declared by law to be real estate in 1705. The capital of the colony was established at Williamsburg in 1698, and was named in honor of William III. She promptly denounced and opposed the stamp act of 1764-5. In 1769 she renewed her protest against the oppressive taxation of the colonies, upon which the assembly was dissolved by Lord Botetort, the governor. In 1775 a collision occurred between the English executive and the colonists, and in 1776 Lord Dunmore bombarded Norfolk. In 1779 Matthews, the British general, destroyed Norfolk, took Portsmouth and Gosport, and captured and burned one hundred and thirty merchant vessels, besides some ships of war in process of building. In 1781 Arnold seized and burned the town of Richmond, and in the latter portion of the same year the eastern part of the state was invaded by Cornwallis,

destroying and stealing over ten million dollars worth of property. His capture, October 19, 1781, substantially ended the war. Virginia adopted the constitution of the United States June 25, 1788.

The first colonial governor was Sir Thomas Smith, in 1606, and the first under the Constitution was Beverly Randolph, from 1788 to 1799. Popular name, "The Old Dominion, or the Mother of States."

NORTH CAROLINA.

North Carolina, one of the original thirteen states, presents a broad front to the Atlantic, which gradually contracts in its breadth until, in the westward part, it terminates in a narrow strip. Its extreme length from west to east is 450 miles, and its width in the eastern portion from 120 to 180 miles, but in the west diminishing from 90 to 20 miles. Its estimated area is about 50,704 square miles, or 32,450,560 acres. Population in 1790, 393,751; 1800, 478,103; 1810, 555,500; 1820, 638,829; 1830, 737,987; 1840, 753,419; 1850, 869,039; 1860, 992,622; 1870, 1,071,361.

The surface of North Carolina is naturally divided into three principal parts. The first borders the ocean, and extends inward about sixty miles; this is mainly a low, sandy district, and contains many extensive marshes and swamps, and is generally covered with forests of pitch-pine. The second division embraces the central part of the state, and the surface is hilly and undulating. The third section comprises the table-land and mountain region, which includes extensive tracts adapted to pasturage and tillage. The mountain ridges are more elevated than is usual in so great an extent of the Appalachian system. Mount Buckley, the highest peak in the chain, attains an altitude of 6,775 feet above tide-water.

The coast line of the state is long, and abounds in many and deep indentations. Large shoals extend from the shore seaward, and render navigation hazardous, and desperate gales prevail, very frequently with most fatal effects. The capes, shaped and formed by the islands of sand, are the terror of the hardiest mariners. Capes Fear and Lookout convey by their very names their surrounding perils. Cape Hatteras, the elbow of a triangular island forming the seaward limit of Pamlico sound, is the most formidable

headland of all. The couplet of the old mariners of the Atlantic runs,

"If Bermuda lets you pass
Then look out for Hatteras."

To the north of Albermarle sound lies the great Dismal swamp (immortalized in the verse of Moore), extending into Virginia, and covering an area of 150,000 square miles. The climatic conditions are such that no specific description would apply to the entire state, it being largely controlled by the irregularities and diversities in the surface figure. "The soil is very various; alluvial and peaty accumulations abound near the coast and along the rivers, while in the middle and western regions it is mainly of granitic origin, and represents every grade of sandy, clayey loam of various fertility."

The mineralogy of the state has been scientifically examined, and its resources in this respect are valuable and extensive. Iron and coal are the most important minerals found in the state; the lodes of the former comprising the hermitites, and the magnetic and specular ores. Bituminous and semi-bituminous coals prevail. Among the other mineralogical varieties are gold, silver, copper, graphite, porphyry, etc. Cotton is also produced in some sections of the state. The manufacture or distillation of turpentine and tar are large and remunerative industries of the inhabitants. The pine forests enhance very materially the general wealth; supplying lumber for manufactories and exportation, besides furnishing large proportions of the resinous matter consumed in the United States.

Raleigh, situated in Wake county, is the capital of the state, and occupies an elevated and pleasant situation in a healthy country. It was chosen as the seat of government, 1788, and named after Sir Walter Raleigh.* No permanent settlement was made in

*Raleigh was born in Devonshire, England, 1552. In 1584 he visited North Carolina and Virginia. For years he basked in the sunshine of royalty, but was finally stripped of his honors and preferments, being arrested, tried and condemned for high treason. He was incarcerated in the tower of London for thirteen years, during which time he wrote the History of the World, and other works. After his release he was again arrested, in consequence of certain misdemeanors, and, on his former sentence, was unceremoniously decapitated at Westminster, in 1618. Aubrey says of him: "He was a tall, handsome and bold man; but his naeve was, that he was damnable proud. He had a most remarkable aspect, an exceeding high forehead, and long-faced."

the state of North Carolina until 1663, although a settlement was attempted as early as 1585, on Roanoke Island, the patron of the colony being Raleigh, "to whom Queen Elizabeth granted, in 1584, a patent for such lands as he might discover in America, 'not possessed by any Christian people.'" In 1630, in the reign of Charles I., a tract of land south of the Chesapeake, designated as Carolina,* was granted to Sir Robert Heath, which, as he established no colony, was revoked. In 1663, out of the same territory was formed the province of Carolina, and by charter conveyed to seven noblemen of Britain. The famous metaphysician and philosopher John Locke† was the originator of its constitution, which continued in operation only about a quarter of a century, it being both complicated and monarchical. In 1769 North Carolina remonstrated against the right of the home government to levy taxes, and in 1774 she sent representatives to the first continental Congress, who joined in the declaration of colonial rights. Her union with the other colonies in support of the Declaration of Independence bears date of April, 1776. She ratified the federal constitution November 21, 1789. Charles Eden was the first colonial governor, 1715, and Alexander Martin, the first under the constitution, from 1789 to 1792. Carolina was so called by the French, in 1564, in honor of King Charles IX. of France. Popular name, "North Carolina, the Old North, or Turpentine State."

SOUTH CAROLINA.

South Carolina, one of the original thirteen states, forms an irregular triangle, of which the base is the Atlantic ocean, embracing an area of about 34,000 square miles, or 21,760,000 acres. Pop-

*On March 20, 1663, the territory which now comprises the states of North and South Carolina, and the greater part of Georgia, was granted by Charles II. to the Earl of Clarendon and seven others, who were constituted proprietors. The colony was named Carolina, and the government was vested in the hands of the proprietors. The proprietary government lasted about fifty years, when it was abolished by the people; and the government was afterwards directed by governors appointed by the king. Carolina was divided in 1729 into North and South Carolina. [Macgregor.]

†Born in England in 1632, and died in 1704.

ulation in 1790, 249,073; 1800, 345,591; 1810, 415,115; 1820, 502,741; 1830, 581,185; 1840, 594,398; 1850, 668,507; 1860,703,708; 1870,705,606.

The whole territory is a portion of the great Atlantic slope, its northwest boundary being formed by the Blue Ridge. The surface is hence naturally divided into parallel sections, according to their elevation, as parts of the slope. These divisions are principally three. The tract bordering the ocean is very low; occupied in part by cypress swamps and reedy marshes, traversed by sluggish streams, and to a great extent covered with large forests of pitch-pine. The western portion of this tract, as it becomes more elevated, is more arid, but the soil is still nearly level and sandy. In the second, or what is known as the middle or "wave region," the surface is rather undulating, modestly swelling and dipping in dells and bluffs, yet mostly occupied by pine wood; the soil is a mellow, brown loam, and fertile in the valleys. This section ends abruptly in joining the third part, called the ridge; the surface quickly rises, and continues to rise with varied character until it ends with the Blue Ridge, in which there are a number of elevated peaks, of which Table mountain, attaining an altitude of four thousand feet, is the highest. The coast is indented by several extensive bays, some of which are deep enough to admit of navigation. The harbor of Beaufort is one of the best in the southern states, that of Charleston being obstructed by a difficult sand-bar.

The climate of the state is said to resemble that of Italy and the south of France, being situated midway between the frigid northern regions and the burning tropic suns. Her products are cotton, rice, tobacco, wheat, barley, rye, oats, Indian corn, hemp, Irish potatoes, etc. The tea-plant is successfully cultivated, and great varieties of garden plants flourish. To the four great materials for human clothing, cotton, wool, silk and flax, her climate, soil and location are peculiarly adapted. The soil is of great diversity, being clayey, loamy or mixed, according to geographical position; that of the lower levels and bottoms being alluvial and generally rich.

Iron of superior quality is found in the state. Gold, silver, copper, lead, coal, bismuth, plumbago, limestone, red and porphyritic granites, etc., are located in different sections, while glass sand,

porcelain clays, materials for pottery, and arenaceous (sandy or friable) quartz prevail in many districts.

Columbia, the capital of the state, is situated on an elevated plain, and was founded in 1787, and is regarded as one of the beautiful cities of the South. Here is situated the University of South Carolina, a Roman Catholic college and a theological institution of the Presbyterian church.

Charleston is one of the venerable and ancient cities of the country, and is situated about seven miles from the Atlantic on a tongue of land between the Ashley and Cooper rivers, which unite immediately below the city, and form a spacious harbor. It was founded by the English about 1680, and three years thereafter was incorporated as a city. At an early period its population was enhanced by contributions from Barbadoes and accessions of French Huguenots. In 1776 General Moultrie, with a small force of men, successfully defended the fort on Sullivan's Island against a British fleet under Sir Peter Parker. In May, 1780, the city was surrendered to Sir Henry Clinton, who held possession of it until 1782. The American commander, General Lincoln, withstood the siege with great fortitude, and refused to capitulate until the city was seriously damaged and the inhabitants starving. Its population in 1870 was 48,956.

In 1562 South Carolina was first settled by a colony of French Protestant exiles, and in perpetuation of the title of their monarch, Charles IX., King of France, named it Carolina. The nucleus of the population of the state was established at Port Royal, in 1670. In 1671 the colony removed to the banks of Ashley river, and founded old Charleston; nine years thereafter (1680) removing to the site of the present city of Charleston. The philosopher Locke framed a mode of government and laws for this state consisting of one hundred and twenty articles, alike feudal and aristocratic in their principles and spirit. "Three classes of nobility were established, viz.: Barons, Caciques and Landgraves. The first were to possess twelve thousand, the second twenty-four thousand, and the third forty-eight thousand acres of land, which was to remain unalienable in their families. The legislature consisted of only one house, and was composed of the lords proprietors, the nobility and deputies chosen by the few inhabitants holding herit-

able property. This plan of government, ill-suited to the views and conditions of the people, produced discord and anarchy. Its spirit was adverse to a democracy, and encouraged the proprietaries in arbitrary proceedings.”*

But ecclesiastical contentions were the great and prolific sources of discord and commotion. In 1703 the Church of England was established by legal statutes. In 1729, the people preferring a monarchy to an oligarchy, the colony became a royal province, the king purchasing the rights of the proprietaries.

Henceforth the colony was controlled in the same manner as the other governments, and its growth in population was rapid. The Dutch of New York, who were subjected to expulsion, and the French Protestants escaping from oppression, the result of the revocation of the Edict of Nantes,† fled to the new colony. The growth and development of the country was much retarded by the French, Spanish and Indian wars from the beginning of the eighteenth century to the general peace of 1763. From this period until the revolution the colony enjoyed a period of peace and prosperity. The patriotism and chivalrous courage that animated the sons of South Carolina brighten the pages of American history, and the names of Sumter, Marion, Pickens, Pinckney, etc., are blazoned on the shafts of an immortal renown. The sieges and battles of the revolution occurring within the borders of South Carolina are thus chronologically recorded:

Fort Moultrie, June 28, 1776; *Port Royal*, 1779; St. John's, 1779; Monk's Corner, April 14, 1780; Charleston, May 12, 1780; Camden, August 16, 1780; *Broad River*, October, 1780; *Tyger River*, October, 1780; *Cowpens*, January 17, 1781; *Fort Watson*, April 14, 1781; Holkirk's Hill, April 25, 1781; Ninety-Six, June 18, 1781; *Eutaw Springs*, September 8, 1781. Those in *italics* indicate American successes. During the revolution she nobly responded to every demand of patriotism, and furnished states-

*Gazetteer of the United States.

†This was the celebrated Edict of Nantes by which Henry IV. of France granted toleration to his Protestant subjects, 1598. It was revoked by Louis XIV., October 24, 1685. This bad and unjust policy lost to France eight hundred thousand Protestants, and gave to England (part of these) fifty thousand industrious artisans.—[Anderson's Origin of English Commerce.]

men and soldiers of which she may feel proud. May 23, 1788, she adopted the federal constitution by a vote of one hundred and forty-nine to seventy-three.

William Sayle was the first colonial governor, 1670, and Charles Pinckney the first under the constitution, from 1789 to 1792. Popular name, "Palmetto State." *

GEORGIA.

Georgia, the most remotely south of any of the original thirteen states, has an extreme length from north to south of 320 miles, its greatest breadth being 254 miles, possessing an area of 58,000 square miles, or 37,120,000 acres. Population in 1790, 82,548; 1800, 162,868; 1810, 252,433; 1820, 340,985; 1830, 516,823; 1840, 691,392; 1850, 906,185; 1860, 1,057,286; 1870, 1,184,109.

The surface of the state is much varied in character and elevation, and its climate, soil and productions are commensurately diversified. As is noticeable from the course of all its larger rivers, the surface is signalized by a regular slope in a southerly direction. The region bordering the Atlantic, and for fifty or sixty miles inland, is very marshy, some of the swamps being very extensive, prominent among which, is the Okefinoke, one hundred and eighty miles in circumference, lying inland, along the border of and partly within Florida. This section forms about one-third portion of the plain of tertiary formation, which is from one hundred to one hundred and fifty miles broad, and swells up to a line passing near the head of navigation of the Savannah, Ogeechee, Oconee and Ocmulgee rivers, where it meets a primary formation. The primary formation crosses the state in a southwest direction, above the falls of the rivers just mentioned, with a breadth of one hundred and sixty miles at the northern, and of one hundred miles at the southern limit. Beyond this, on the northwest side of the primary belt, the surface rises by a series of parallel and undulating ridges to the Blue Ridge mountains, which are from 1,200 to 4,000 feet high.

The coast line of Georgia is characterized by a consecution of

*See North Carolina.

low islands, intersected by many channels, susceptible of inland navigation all along the shore. These are usually separated from each other by bays or sounds, which bear their names and receive the waters of this section. The principal islands are Ossabaw, St. Catharine's, Sapello, St. Simon's, Jekyll, Cumberland, etc., which are covered with rich plantations, and produce the long staple cotton, called, from the place of its growth, sea island cotton.

The soils of the state are of exceeding fertility; those of the islands and lower regions consisting of rather light, gray sand, perceptibly approaching a darker and more gravelly formation toward the interior. A black loam, with a component of red earth is found further north, which, in turn, is succeeded in the more remote sections with a strong, black mold of unsurpassed productiveness. Cotton is the great staple, though wheat, rye, oats, barley, maize, tobacco, sugar-cane, indigo, rice, etc., are raised.

The climate is delightful but variable, the southern and middle portions of the state being hot, while in the northern and more mountainous regions it is cool. Gold, silver, copper, iron, lead, coal, manganese, graphite, antimony, zinc, granite, marble, limestone, gypsum, sienite, marl, jasper, amethyst, cornelian, chalcodony, rose quartz, agate, garnets, etc., constitute the chief mineral features of the state. The gold district, in the northern part of the state, has contributed no inconsiderable amount to the wealth of the country.

One of her representatives in Congress, Mr. Stephens, in a speech to that body once said:

"Georgia has her beds of coal and iron; her lime, gypsum and marl; her quarries of granite and marble. She has inexhaustible treasures of mineral, including gold, the most precious of metals. She has a soil and climate suitable for the growth and culture of every product known to husbandry and agriculture. A better country for wheat and corn, and all the cereal plants, to say nothing of cotton and tobacco, is not to be found in an equal space on the continent. There, too, grow the orange, the olive, the vine and the fig, with forests of oak and pine sufficient to build and mast the navies of the world. She has mountains for grazing, rivers for commerce, and water-falls for machinery of all kinds, without number."

The water power of the state is unsurpassed, there being upward of fifty streams within its border, worthy of the designation of rivers. "The streams of this state alone," says an authority, "which pour the volume of their waters from the mountain springs into the bosoms of the Atlantic ocean and the Gulf of Mexico would supply sufficient power, in the eligible sites, to manufacture all the cotton grown in the world, or to grind all the grain grown within the limits of the Union." In the more elevated portions of the state are found the pine, palmetto, oak, ash, cypress, hickory, black walnut, cedar, mulberry, etc., while the magnolia, canes, gum woods of different species, tulip, sweet bay, etc., constitute the aborescence of the riparian bottoms.

Atlanta, the capital of the state, is located in Fulton county, and had a population in 1870 of nearly 17,000. In 1847 it was chartered as a city, and in 1868 became the capital. Milledgeville, the original seat of government, was founded in 1803, and in 1810 had 1,256 inhabitants, and in 1870 a population of 2,750. It is built on a somewhat uneven site, in the midst of a rich and populous cotton-growing district. Atlanta is a prosperous and enterprising city, and its rapid growth is largely due to the energy of its people and the various lines of railway by which it is accessible.

Macon and Columbus are handsome and attractive cities, the former possessing, in 1870, a population of 10,810, the latter 7,401. Macon is situated on the Ocmulgee river, which is navigable for steamers of light tonnage, and is considerably devoted to manufactures. Many of its public buildings are fine and some of its private residences elegant. Columbus is situated on the Chattahoochee; is well built, and gracefully adorned with the verdure of the south. It enjoys favorable railroad facilities, and is quite a center of trade.

Augusta is situated on the Savannah river, 135 miles northwest of Charleston; is an important commercial point, and the depot of an extensive fertile country; it was laid out in 1735, and incorporated as a city in 1817. Its population in 1870 was nearly 16,000.

Savannah is a prosperous city, and one of the most beautiful on the southern coast. Its site is on the Savannah river, eighteen miles from the Atlantic ocean. Population in 1870, 28,-

235. Says McCabe: "Its streets are wide and straight, and at every other corner there is a public square, usually circular or oval in shape, planted with the Pride of India. The streets are broad, unpaved, and densely shaded with magnificent trees. Broad and Bay have handsome turfed promenades in the center, with carriage ways on each side. Its beautiful streets have gained for Savannah the name of the "Forest City of the South." "The squares are ornamented with handsome fountains, statues, monuments, etc. In Johnson's square stands a monument erected to the memories of Generals Greene and Pulaski. It is of pure white marble, and stands on the spot where Pulaski fell, in the attack on the city by the American army, in 1779."

Georgia was the last settled of the original thirteen states. The colony was founded under charter granted by George II., 1732, to the "trustees, for the establishing of the colony of Georgia." "The double purpose of making the settlement was to relieve the distress of the poor at home, and to secure the frontiers of the Carolinas from the Indians and Spaniards. In 1773, General Oglethorpe, one of the trustees, conducted the first colonists to the Savannah, and several bodies of Germans and Highlanders were soon after brought over. The lands were held on a military tenure. The country was repeatedly traversed by the Spaniards from Florida, who considered the occupation of the English as an encroachment upon their domain. In 1752 the proprietary government was abolished, and Georgia became a royal colony." The original limits of the state included the territory now divided into the states of Alabama and Georgia. A constitution was framed March 26, 1776; amended March 19, 1788, and June 3, 1790. The constitution of the United State was ratified January 2, 1788. James Edward Oglethorpe was the first colonial governor, 1732, and George Walton the first under the constitution, from 1789 to 1790. It was named in honor of King George II.

FLORIDA.

Florida, lying south of Alabama and Georgia, with the Atlantic ocean washing four hundred and seventy-two miles of its eastern

border, and a coast line of six hundred and seventy-four miles on the Gulf of Mexico, embraces an area of 59,286 square miles, or 37,931,520 acres, and in proportion to its area has a more extended coast line than any other political division of the Union. Population, 1830, 34,730; 1840, 54,477; 1850, 87,445; 1860, 140,524; 1870, 187,748.

The largest portion of the state is compassed in the peninsula, which is three hundred and seventy-five miles in extent from north to south, with an average width not exceeding ninety miles. The surface of this peninsula is comparatively level, nowhere rising into mountains or hills; but along the coast it is low, gradually rising to an altitude not exceeding three hundred feet in the interior, while the whole surface is fanned by the Gulf winds on one side and the trade winds of the Atlantic on the other. There are, in many parts of the state, extensive tracts of swamps and large lagoons, and many low and wet localities, yet the soil is rich, producing luxuriant growths of indigenous vegetation.

A very striking geographical feature of Florida is the everglades, which occupy a portion of the lower part of the peninsula. South of the mainland, and extending from Cape Florida, on the peninsula, a series of islands, sand banks, reefs or keys, attached and belonging to the state of Florida, extend south-westward a distance of two hundred and twenty miles in a curve, terminating in a cluster of sand banks and rocks, known as Tortugas. These keys are separated from the mainland by Florida Bay, Bay Biscayne, Carp's and Barnes' Sounds. South of this series of keys, with a navigable channel intervening, lies the Florida Reef, being a long, narrow coral reef, here constituting the left bank of the Gulf Stream.

The general character of the soil is light, sandy loam, with intermixture of clay, lime and organic matter. Independent of the everglades and swamps, there is but a small proportion of worthless lands compared with many other sections of the country. Probably no part of the United States is capable of furnishing more extensive varieties of natural products and bringing them to as high a degree of perfection as the state of Florida. In the northern portions the cereals, fruits and vegetables indigenous to the north temperate zone may be produced, while the semi-tropical fruits find a responsive soil and climate. Although the state lies

south of the great corn-growing belt, this staple is produced in all parts of the state, and is a most desirable article of food. Cotton and sugar cane are cultivated, and the production of the sweet potato is a great and growing interest. Some of the low lands are well suited for raising rice, and certain regions along the coast are adapted to the growth of Cuba tobacco. It is asserted also that some portions of the state along the Atlantic seaboard are adapted to the culture of coffee. Almost every variety of garden vegetables arrives to great perfection in Florida.

In its wonderful diversity of fruits, embracing those of the temperate zone, and many which mature only under the gracious influences of a tropical sun, Florida is entitled to the wreath and palm. It is the great orange-growing country of the continent. The lemon, peach, quince, apricot, nectarine, pimento, lime, olive, citron, guava, pecan-nut, pomegranate and grape, likewise attain a rich development in this state. Experience has proven that the pine-apple, cocoa-nut, almond, and Trinidad date may be successfully cultivated.

Among the more prominent forest trees are the live, red, white and water oaks, cedar, cherry, cypress, hickory, elm, pine, ash, gum, magnolia, birch, walnut, mahogany and dogwood, while in the southern section of the state, and on the keys, are *lignum-vitæ*, boxwood, mastic, satin-wood, palmetto and crabwood.

Florida possesses attractions in the salubrity of its climate and the splendid equipoise of its temperature. The northeastern coast is especially healthy, and is a coveted resort for invalids.

Tallahassee is the capital of the state, and in 1870 had a population of 2,023. It was chosen as the seat of government in 1824.

Pensacola, on the bay of its name, is a growing city, and was settled by the Spaniards, about 1700. The government has a naval station here.

Key West, on the island so called, is a port of entry resting on a depressed coral formation. In 1832 the first house was built by Colonel Simonton, and in the same year it was made a military post. It has a large harbor and is a vital military station. Population in 1870, 5,000.

"The name of Florida was in the sixteenth, and early part of the seventeenth century, indefinitely applied to the territory

now lying south of Virginia. By its charter, the southern boundary of Carolina was fixed on the twenty-ninth parallel, thus including about one-half of the present state of Florida. In 1738 the stipulated northern boundary of Florida was a line drawn due west from the mouth of the St. John's river (called by the Spaniards San Juan) to the little river Vasisa, cutting off all upper or continental Florida. At the time of its cession by Spain to Great Britain, in 1763, the territory of Florida extended as far west as the Mississippi river, including portions of the present states of Alabama, Mississippi and Louisiana. The present boundaries are comprised between twenty-four degrees and thirty minutes and thirty-one degrees north latitude, and eighty and eighty-seven degrees and forty-five minutes west longitude."*

The adventures of Narvæz, and the romantic wanderings of Ponce De Leon and De Soto, the buccaneering of the English, the wars waged with Oglethorpe by the Spaniards, and more recently the long and bloody Indian wars, have given to Florida a greater historic significance than attaches to many other portions of the country. In the year 1512, about seven years before the invasion of Mexico by Cortes, Juan Ponce De Leon discovered the mainland of Florida, on Easter Sunday. After landing at a place called the Bay, he took formal possession of it and "planted a stone cross in sign of the jurisdiction of Spain." In 1513 he was designated governor of and obtained permission from Ferdinand to colonize the "Island of Florida," in which, however, he was unsuccessful. This effort at colonization was followed by the disastrous one of Pamphilo De Narvæz, in 1558. On May 30, 1539, Hernando De Soto landed at what is now Tampa bay, named "Spiritu Santo," by the Spaniards. De Soto regarded it as a new Eldorado, and carrying a commission from the emperor, undertook its conquest, but being stubbornly met by the natives he moved on to the Mississippi, and died in the effort to descend to its outlet. The Spanish occupation of Florida was strongly resisted by the English colonists of Georgia and Carolina. It remained in Spanish possession until 1763, when it was ceded to the British, soon after which, it was divided into east and west Florida. In 1783 Florida was ceded back to Spain.

*Encyclopedia Britannica, p. 338, vol. ix.

In February, 1819, a treaty for its cession to the United States was concluded at Washington, and in 1821 was reluctantly ratified by the king of Spain, thus terminating a protracted negotiation. Possession was taken in July by General Jackson, who had been appointed governor of the Floridas by the government at Washington. The first permanent colony was established at St. Augustine, in 1565. It was organized as a territory March 30, 1822, and admitted into the Union as a state March 3, 1845. William P. Duval was the first territorial governor, from 1822 to 1834, and William D. Moseley the first state governor, from 1845 to 1849. Florida so called in 1572 by Juan Ponce De Leon, because it was discovered on Easter Sunday; in Spanish, "Pascua Florida."

ALABAMA.

Alabama lies north of Florida, with a coast line of 60 miles on the Gulf of Mexico. Its length is 330 miles; average breadth, 154, and includes an area of 50,722 square miles, or 32,462,080 acres. Population, 1820, 127,901; 1830, 309,527; 1840, 590,756; 1850, 771,623; 1860, 964,201; 1870, 996,992.

The surface of the southern part of the state is comparatively level along the coast, being little above the level of the sea, but gradually rising in the interior. In the northern portion the surface is more elevated and at the same time more rugged. The Blue Ridge range of the Allegheny mountains enters the northern part of the state near the northeast corner, and extends in a southwesterly direction. The mountains become very much depressed on reaching the limits of the state, and, strictly speaking, form only the southern termination, or the foot hills, of the great Appalachian chain.

The soil of Alabama is varied, but usually fertile, and productive of all the staples of that latitude. In the northern part, where mountains are the dominant feature of the country, the soil on the uplands is generally thin, but well adapted for grazing purposes, while the valleys are very fertile, producing splendid crops of cereals and vegetables. In the central part, where the surface is less elevated and broken, extensive prairies or savannas abound,

being well watered and generally well adapted for agricultural or grazing pursuits, the bottom lands on the streams being especially rich and productive. The southern portion of the state is still more level, rising little above the sea-coast, and consists of extensive prairies, pine barrens and alluvial river bottoms, the latter generally of remarkable fertility. The valley of the Tennessee, in the extreme northern portion of the state, embracing over seven thousand square miles, comprises some of the choicest agricultural lands in the state. The great valley of the Alabama, including its tributaries, which embraces a very extensive area in the state, is one of the most valuable agricultural regions on the continent.

The climate of the state is equable and moderate, the winters being mild, while the temperature in the summer is greatly mitigated by the sea breezes, which render the nights refreshing and cool. Its mineral deposits are extensive, varied, and no less valuable than the products of the soil. The state includes a part of the immense bituminous coal field of the United States. Potters', porcelain and fire-clays, and materials for the manufacture of hydraulic lime, occur in abundance in the mineral regions. Marbles of different varieties, particularly black and variegated, granite of fine quality, and ochers, occur in various localities. Gold and copper have been found in the northeastern portions of the state, but not in quantities to pay for exploitation; also other minerals, such as cobalt, syteite, steatite, quartz crystal, etc.

The cotton region embraces an area of about 11,500 square miles, and occupies a belt north of the great timber region, in the southern part, extending across the state from east to west, being about one hundred miles in width from north to south at the western border, near sixty in the interior, between Selma and Montgomery, and near the latter width at the eastern border. Corn is largely cultivated and is next to cotton as a staple. A large area of the state, including the valleys of the Alabama and Tennessee, is well adapted to wheat, oats, barley, potatoes, etc.; while the soil of various sections has proved adapted to the culture of tobacco, sugar cane, buckwheat, hops, flax, rice, grapes, and an extensive variety of fruits and vegetables.

The entire state is well watered, possessing several large and

navigable streams, all of which, with the exception of the Tennessee and the streams flowing into Pensacola and Choctawhatchee bays in Florida, unite to form the Mobile river, and ultimately discharge their waters into Mobile bay. The timber growth of the state consists of yellow pine, oak, cypress, gum, hickory, cedar, walnut, poplar, locust, chestnut, maple, elm, mulberry, etc.

Montgomery is the capital of the state, and is situated on the Alabama river. The city is built on a bluff, and in 1870 had a population of 10,588.

Mobile, the largest city in the state, is favorably located at the head of Mobile bay, and had a population in 1870 of 32,184. It is the most important commercial city in the state, and has an extensive foreign and domestic trade, ranking next to New Orleans as a cotton market. It was settled by the French under Bienville in 1702, and incorporated as a city in 1819.

Alabama was first visited by the Spaniards, in search of gold, as early as 1541, by De Soto, the natives defending themselves obstinately, inflicting and sustaining severe losses. In 1763 the French possessions east of the Mississippi, including Alabama, were ceded to England; the state was originally embraced in Georgia, but in 1802, became a portion of the territory of Mississippi. Alabama was admitted into the Union December 14, 1819. William W. Bibb was the first governor under the constitution, from 1819 to 1820. It was so called in 1814, from its principal river, meaning, "Here we rest."

MISSISSIPPI.

Mississippi embraces an area of 47,256 square miles, or 30,179,840 acres, with a coast line of 80 miles on the Gulf of Mexico. Its extreme length from north to south is 332 miles, and its width 118 miles on the north boundary, or thirty-fifth parallel, and 189 on the thirty-first parallel. Population in 1800, 8,850; 1810, 40,352; 1820, 75,448; 1830, 136,621; 1840, 375,651; 1850, 606,526; 1860, 791,305; 1870, 827,922.

The surface of this state is generally undulating, level in some districts, but nowhere rising into mountains or extensive hills—

geographical features which characterize other sections of the Union. The general course of the streams is south and southwest, indicating such to be the general slope of the country. A small portion however of the area in the northeast is drained by the Tombigbee, inclining to the southeast, while the region in the southern part of the state, embracing the valleys of the Pearl and Pascagoula rivers, seeks the Gulf of Mexico, by a southeastern course.

The soils bordering on the Gulf are of a sandy order, but very productive. The southeastern portion of the state embraces a variety of soil and surface, broken in some places, with a poor soil, while others are fertile valleys. This is a fine grazing region, and cattle-raising is an important interest in that locality. Some cotton is produced; corn, also, and the various kinds of small grain are successfully cultivated. The northeastern part is mostly prairie, the soil usually consisting of a dark, heavy loam, highly impregnated with lime, and the surface covered with luxuriant grass—this section including a portion of the great cotton-growing belt in Alabama. The lands contiguous to the Mississippi consist, for the most part, of alluvial bottoms, in some places one hundred miles wide, the soil being exceedingly rich and productive, but liable to inundations from the Mississippi.

The climate of the state is characterized by torrid excesses, but its winters have an average temperature a few degrees below the same seasons in the same parallels on the Atlantic coast.

The southern part of the state abounds in yellow pine, of lusty growth, and in the swamp and overflowed lands black and white cypress occur, the latter being valuable for domestic purposes. In the northern section the timber is mostly composed of oak and hickory, although the other species found in the state embrace black walnut, gum, poplar, magnolia, maple, beech, buckeye, dogwood, persimmon, tulip and papaw. Peaches, apples, plums, figs, oranges, and every variety of vegetables are grown.

Among the field crops, cotton has been the great staple for many years. The soil and climate are well adapted to the culture of all the crops produced in the same latitude in other regions, including corn, wheat, rye, oats, buckwheat, Irish and sweet potatoes. The grape is also profitably cultivated in most localities of the state, and

silk culture has received some attention, and the experiments, though on a limited scale, have proven satisfactory.

The mineralogy of the state has not been fully explored, but iron, coal and marble have been found in limited quantities. The superficial deposit of yellow silicious marl was accumulated just prior to the present geological period, after the surface had received its present outline by erosion, and contains numerous fresh-water and land shells identical with species now living, together with bones of extinct animals mingled with the bones of species now existing. This formation is super-imposed on beds of the Eocene period, which makes its appearance at the foot of the bluffs near Vicksburg.

Jackson, the seat of government, is situated on Pearl river, although the most important commercial cities are Natchez and Vicksburg, the former two hundred and eight miles above New Orleans, and the latter one hundred and twenty miles above the former, on the Mississippi.

Vicksburg is situated on a high bluff, two hundred feet above high-water mark, on the east shore of the Mississippi river. The country surrounding it is a valuable cotton, tobacco and grain district. It has a large river traffic with New Orleans and other places on the river. In 1825 it was chartered as a village, and in 1836 as a city. Population in 1870, 12,443.

Natchez, on the Mississippi, is an entrepot of much of the internal commerce of the state. As early as 1716 it was settled by the French under Bienville, and in 1870 had a population of 9,057.

Mississippi was first settled by the French at Natchez, and in 1716 the colony was nearly destroyed by the Indians. After being reinforced by a body of French colonists who had been driven out of Nova Scotia upon the English conquest, they succeeded in maintaining and extending their territory. They were, however, ousted by the English, and the territory was ceded to Great Britain in 1763. That part of the present area of the state lying north of latitude thirty-one degrees, with that of Alabama, was organized under a territorial government by act of Congress, approved April 7, 1798, with the consent of Georgia, by which, in 1802, it was formally ceded to the United States as a part of the public domain. That

portion of the country south of thirty-one degrees latitude, extending from the Pearl to the Perdido river, was originally included in the Louisiana acquisition by the treaty at Paris of April 30, 1803. Alabama, with its present limits, was detached from the territory of Mississippi by act of March 3, 1817, and December 10 following, Mississippi, with its present limits, was admitted as a state under the constitution. It had been organized as a territory April 7, 1798. Winthrop Sargent was the first territorial governor, from 1798 to 1802, and David Holmes the first state governor, from 1817 to 1819. It was so called, in 1800, from its western boundary, Mississippi being said to denote the whole river, that is, the river formed by the union of many. Popular name, "The Bayou State."

LOUISIANA.

This state is 292 miles in length from east to west, with an average breadth of 250 miles, and has an area of 41,346 square miles, or 26,461,440 acres. Population in 1810, 76,556; 1820, 152,923; 1830, 215,739; 1840, 352,411; 1850, 517,762; 1860, 708,002; 1870, 726,915.

The surface of Louisiana is generally low and level, nowhere attaining an elevation of more than two hundred feet above the level of the sea. In the south part nearly one-fourth of the state lies but ten feet above the Gulf, and is usually inundated by the spring floods, much of the southern coast being a permanent salt marsh. The bottom lands of the Mississippi, along the whole course of the river within the state, on the west side, and on the east side from its mouth nearly to the city of Baton Rouge, are subject to overflow during high water, and can only be protected from inundation by the construction of levees along the river. The northern and western parts of the state, to the extent of about one-half of the total area, are undulating and somewhat diversified by low ranges of hills. These parts of the surface are covered with immense pine forests, interspersed with oak, elm, ash, walnut, sassafras, mulberry, poplar, hickory, magnolia, and other trees. South of the central portion of the state, from the Bayou Teche to the Sabine river, are vast level prairies, covering about four million acres of land.

The delta of the Mississippi, included between the main stream and the Atchafalaya branch, is a sedimentary accretion many hundred feet in depth. It is about 200 miles in length, with an average width of from 60 to 70, containing an area of from 12,000 to 14,000 square miles, being about as large as the whole valley of the Nile from the cataract of Syene to the Mediterranean, and it may be said to equal that far-famed valley in productiveness.

The temperature of the state rarely sinks below the freezing point, and, as all parts of the state are daily fanned by the refreshing breeze from the Gulf, the temperature of midsummer seldom rises as high as in places more remote from the sea in the upper valleys of the Mississippi and its tributaries.

The minerals of the state, especially in the northern and western parts, consist of iron, lead, coal, lime, soda, copperas, gypsum, marl and potter's earth, the latter found in many localities. Salt is also found in nearly every region of the state. The prairies of the central and northwestern portions of Louisiana have long been celebrated for the vast number of sheep and cattle annually raised there for the New Orleans market.

Its commercial facilities are unsurpassed, the Mississippi flowing along its borders and through its interior for eight hundred miles. Within the state, Red river is navigable for nearly five hundred miles, and the Washita, Tensas and Little rivers are navigable for five hundred more ; and during high stages of water the La Fourche, the Atchafalaya, the Teche, Vermillion and Sabine add eight hundred more to river communication. Besides these, Lake Pontchartrain, Lake Borgne, Lake Maurepas, Pearl and Amite rivers furnish transportation for a large scope of country—the steam communication being little less than two thousand miles.

New Orleans, the seat of government of Louisiana, the great metropolis of the south and the capital of Orleans parish, is one of the old and historic cities of the south. Its history, in the early epochs, is that of the whole French settlement in lower Louisiana, which will be found variously detailed in different portions of this volume. The city was founded in 1717 and named in honor of the Duc d'Orleans, then regent of France, but the site was abandoned soon after, and not settled again until 1722. In 1745 the estimated population was 800 souls, exclusive of 200 soldiers and

300 negroes. In 1815 the British undertook to capture the city, but failed. *

“New Orleans is built around a bend in the river, from which circumstance it has been denominated the ‘Crescent City.’” Its public buildings are numerous and beautiful, among which may be mentioned the United States Custom House, City Hall, Mint, Merchants’ Exchange, Masonic Hall, Odd Fellows’ Hall, etc. Its charitable and benevolent institutions are well and effectually conducted. It abounds in beautiful church edifices. It is pre-eminently the great cotton mart of the country. Its river trade is immense and its coasting and foreign business is commensurately vast. Its commercial advantages are truly wonderful. It commands the outlet of a navigable river extending through twenty degrees of latitude, which, with its tributaries, traverses a region a million and a quarter square miles in extent, furnishing sixteen thousand six hundred and ninety-four miles of steam navigation. It is thus brought into direct water communication with a population of twenty millions, certain to exceed fifty millions before the end of the present century. Its merchants, through this remarkable river system, have access to a fertile country as large as Europe, from the Atlantic to the Russian frontier, from the Mediterranean to the Baltic, yielding bountifully all the staples of the temperate zone. They can collect all the vast surplus produce of this region, and ship it in bulk from the upper waters of the Mississippi and Missouri to the shores of the Atlantic at less cost for transportation than would be required to carry it by rail from the Mississippi to the Atlantic seaboard. Population in 1870, 191,322.

William C. C. Claiborne was the first governor of the territory of Orleans, from 1804 to 1812, and also the state governor from 1812 to 1816. Louisiana, named in honor of Louis XIV. of France, known as the “Bayou State.”

TEXAS.

Texas, one of the southwest states of the Federal Union, has an extreme length from southeast to northwest of more than 800

*Chronological Record, page 580.

miles, its greatest breadth from east to west being about 750 miles; and having an area of 237,504 square miles, comprising about or nearly one-twelfth of the entire Union, or forming a territory six times as large as the state of Pennsylvania. Population in 1850, 212,592; 1860, 604,215; 1870, 818,579.

This state may be divided into three physical sections or divisions of country, viz. : the level, the undulating, and the mountainous; or eastern, middle and western Texas. Eastern Texas extends from the Sabine to the Trinity; middle Texas from the Trinity to the Colorado, and southern and western Texas from the Colorado to the Rio Grande del Norte. The first, or level region, extends along the coast, with a breadth inland varying from one hundred to seventy and thirty miles. The second division, which is the largest, is the undulating prairie region, which embraces the whole of the interior and the north, and reaches westward to the mountainous tract, which is distant one hundred and fifty to two hundred miles from the boundaries of the level lands. Here are the high, rolling, verdant prairies, the narrow-wooded bottoms, the beautiful islands of timber, the running streams, the cool, refreshing springs, and the bracing, invigorating climate of Texas. The soil, though a little broken, is not inferior to the lower alluvial regions, produces quite as well, and easily cultivated. The third, or mountainous division, is situated principally in the southwest part of the state, and is represented as being rich in soil and climate, clothed in constant verdure, beautifully variegated in surface, and watered by myriads of beautiful crystal streams.

No portion of the extensive coast of the Gulf of Mexico presents a greater number of commanding harbors, bays and inlets than that of Texas. The state abounds in minerals, and is a most interesting field for the student in geology. Gold has been found along some of the streams, and iron ore pervades great portions of the country. Silver, copper, lead, alum and bituminous coal prevail in different districts and sections of the state. Soda, potash, asphaltum, agate, chalcedony, jasper, etc., abound. Mineral springs prevail, and the climate is delightful and salubrious. The average notation of the thermometer in the summer is about eighty degrees Fahrenheit, and balmy breezes from the south blow almost without interruption.

The forests of Texas present an infinite variety of timber adapted to building and ornamental purposes, those of the live oak and cedar being unrivaled. The eastern section is better wooded than any, producing pine, oak, ash, walnut, hickory, mulberry, cedar, cypress, etc. The soil is admirably suited to grasses, agricultural staples, the western part being the great cattle-herding district.

Among the crops of this state that of cotton stands pre-eminent and is a source of great wealth and power.

Its staple is uniformly good, and near the Gulf it equals in length and firmness the Sea Island cotton of Georgia, the climate and soil being both especially favorable to its culture. The sugarcane flourishes luxuriantly throughout the entire level region, and tobacco is an important production. The fruits of tropical, as well as northern latitudes, flourish in Texan soils. The fig is common, the peach delicious, the nectarine, quince and grape prolific, and these grow and ripen in the same sun with the papaw, plum and apple. The orange, pine-apple, lime, lemon and olive mature together. Wild fowl and game birds are in profusion, and fish of superb quality inhabit its rivers and bays. The cane-brakes are of immense extent in the lower country, and on the Caney creek may be seen seventy miles long and from one to three miles wide, and in these districts cotton, rice and sugar may be grown.

The rearing and cultivation of live stock is a favorite and profitable occupation of the Texan planters and farmers, and many of the prairies are covered with valuable breeds of cattle. In point of general and material resources of wealth, Texas may challenge favorable comparison with any of her sister states in the great circle of the Union.

Austin, the capital of the state, is situated in Travis county, on the north bank of the Colorado, and became the seat of government in 1844.

Galveston is the commercial emporium of the state, its harbor being ample and its anchorage good. It is situated on Galveston Island, formerly a resort for pirates, the notorious Lafitte, the "Pirate of the Gulf," having erected a fort here. It was discovered in 1686, and first settled in 1836. The city is well built, has numerous large warehouses, wholesale and retail stores, good rail-

road facilities, and in direct ocean relations with New Orleans and New York.

San Antonio, one of the oldest settlements of the country, was occupied by Franciscan Monks as early as 1703. Fort Alamo, situated here, is forever memorable in history. The city is in a prosperous condition, and contains many handsome residences. A United States arsenal is located here.

Houston is a thriving city; has river connections with Galveston, and railway communications with other important towns of Texas.

Dallas, in northern Texas, on the Trinity river, is an enterprising and flourishing city.

The French explorer, La Salle, as early as 1687, built a fort and established a settlement at Matagorda, the settlers soon thereafter being expelled by the Spaniards, who, in 1690, formed a mission and settlement, but who soon abandoned them. In 1803, when Louisiana was ceded by France to the United States, Texas, claimed by both Spain and the United States, became a disputed as well as a coveted territory. From 1806 to 1816 settlements were formed and several attempts made to wrest the country from Spain. In 1833 a convention of settlers, twenty thousand in number, made an unsuccessful attempt to form an independent Mexican state, and in 1835 a provisional government was established, General Samuel Houston chosen commander-in-chief, and the Mexicans driven out of Texas. Santa Anna, then president of Mexico, with a force of nearly eight thousand men, invaded the country, and after successive victories in several skirmishes, was finally and completely routed at San Jacinto, April 21, 1836, by the forces under General Samuel Houston,* and Texas became an independent republic. No serious efforts having been made by the Mexicans to regain Texas for eight or nine years, the political nationality of the country was considered as consolidated, and in 1845 it was annexed to the United States, but was invaded by Mexico, who never recognized its independence, the sequel to which was war between the two nations. March 6, 1836, forty-five days prior to the engage-

*The doughty old warrior was made its first president, re-elected in 1841, and, on its annexation, in 1845, was sent to the United States Senate, where he remained until 1859, when he retired and was elected governor of Texas.

ment at San Jacinto, Fort Alamo became memorable as having been the scene of one of the most affecting and thrilling episodes of the Texan struggles for independence. Colonel Travis, who commanded the garrison, had only about one hundred and fifty men, yet resisted a Mexican force of ten times his number, under the cruel leadership of Santa Anna, and rather than surrender, they died to a man; and hence history records it as the Thermopylæ of Texas, and "Remember the Alamo!" became the battle-cry of the Texan army. Inasmuch as the storming of the Alamo has become famous in history, and as it illustrates the peculiar and wonderful courage of the Texan soldier, it may not be inappropriate to supply more fully an account of that terrific and deadly struggle.

Santa Anna halted a day on the west bank of the Medina river, where he received accurate information as to the strength of the Americans in San Antonio. A sudden rain storm made the river impassable. Next day he resumed the march, General Mora in advance, with orders to seize the mission of Conception—a massive stone structure two miles below San Antonio—deemed by Santa Anna as a more defensible stronghold than Alamo. A cannon shot was fired when the head of the advancing column reached the cemetery. The town was not defended, and Colonel Mora was ordered to take position north and east of the Alamo, to prevent the escape of the garrison. This was late in February, 1836. Santa Anna led four thousand men and awaited the coming of General Talza with two thousand more. A battalion crossed the San Antonio river and took possession of houses below the Alamo to build a bridge across the river. Thirty men of two companies, sent the next day to make a reconnoissance, were killed. A light earth-work was thrown up above the Alamo. The firing from the fort, now invested, was ceaseless. An earth-work nearer the fort was constructed at night. On the third day of March General Talza arrived, and the plan of assault was defined and made known to the division commanders. On the 5th of March scaling ladders were distributed. At three o'clock on the morning of the 6th, ever memorable in song and story, the battalion Matamoras was moved to a point nearer the river and above the Alamo. They were supported by two thousand men under General Cos, this wing of the army being com-

manded by General Castrillion, General Talza leading that below the Alamo.

"Santa Anna spent the night in the earth-work near the Alamo. The whole force was to move silently upon the fortress at the sound of the bugle, and not to fire until in the trenches of the Texans. The sound of the bugle was heard at four o'clock. General Castrillion's division, after an hour's desperate fighting, and repulses, and unheard of losses, succeeded in effecting an entrance in the upper part of the Alamo, in a sort of out-work, now a court-yard. The fighting had only begun. The windows and doors were barricaded and guarded by bags of dirt heaped up as high as a man's shoulders, and on the roof were rows of bags of dirt, behind which the Texans fought as never men fought before, muzzle to muzzle, hand to hand. Each Texan rifle-shot exhausted its force and spent itself in successive bodies of Mexicans packed together like a wall of flesh. Muskets and rifles were clubbed, and bowie-knives never wrought such fearful carnage. The ceaseless crash of firearms, the shouts of the defiant, desperate beleagured Texans, the shrieks of the dying, made the din infernal, and the scene indescribable in its sublime terrors.

"Each room in the building was the scene of a desperate struggle, with fearless men driven to desperation, and conscious that escape was impossible. They fought even when stricken down, and when dying still struggled, not with death, but to slay Mexicans. In the long room used as a hospital the sick and wounded fired pistols and rifles from their pallets. A piece of artillery, supposed to be that which Crockett had used during the siege, was shotted with grape and cannister, and turned upon the desperate occupants of this apartment. After the explosion the Mexicans entered and found the emaciated bodies of fourteen men, torn and rent, and blackened and bloody. Forty-two dead Mexicans lay at the doorway of this room. Bowie, whose name tells of his fearful knife and deeds, lay stark and stiff on a cot in the room. He was helpless and in bed when the place was invested ten days before. Eleven Texans fired with terrible effect from the roof of the building, where they used three or four pieces, which they charged with nails and pieces of iron. Buerra gives his peculiar version of the story affecting the death of Travis and Crockett. These two were

found living, yet exhausted by fighting, and lying among the dead. When Travis was discovered he gave gold to a Mexican, and while conversing with him General Cos, with whom Travis had dealt most generously when San Antonio was captured by the Americans, appeared. Cos embraced Travis, and induced other officers to join him in asking Santa Anna to spare Travis' life. The president-general sternly refused. Then Crockett, from among the corpses, stood up utterly exhausted, by weary, sleepless days and nights, and by five hours' constant fighting. Santa Anna was enraged beyond measure that his orders were not executed. He directed the soldiers near him to fire on the two Texans. Travis was shot first in the back. He folded his arms across his breast and stood stiffly erect till a bullet pierced his neck. He fell upon his face, while Crockett's body was riddled with bullets. The corpses of two thousand Mexicans were buried, those of the dead Americans were gathered and burned, a holocaust whose fires lighted the way to the freedom of Texas."

Texas was admitted into the Union December 29, 1845. J. Pinckney Henderson was the first governor, from 1846 to 1847. Texas, a Spanish word applied to the republic. Popular name, "The Lone Star State."

PART XIV.

THE WESTERN STATES.

OHIO.

This state, which formed part of the old Northwestern Territory, was originally granted by royal charter to several of the ante-revolutionary colonial governments, and was by them, at different times after the disruption of the colonial relations with Great Britain, ceded to the general government for the common benefit of the nation. By the celebrated ordinance of 1787, this splendid domain, exceeding in extent the French empire, was organized under territorial government, based upon the noblest principles. In 1802 the present state was erected in the eastern part of the territory, possessing an area 200 by 195 miles, equal to 39,964 square miles or 25,576,960 acres. Population in 1800, 45,365; 1810, 230,760; 1820, 581,295; 1830, 937,903; 1840, 1,519,467; 1850, 1,980,329; 1860, 2,339,511; 1870, 2,665,260.

Topographically considered, the vast surface areas of Ohio are most diverse and beautiful. The entire state is a compact mass of land, nowhere presenting any remarkable elevations above the common level. It rather exhibits a lofty plateau, whose maximum altitudes occur in its more central parts, the average elevations ranging from 600 to 1,000 feet. Its waters flow northwardly into Lake Erie, and southwardly into the River Ohio, being separated by a frequently inappreciable ridge, known as the water-shed of the state. The declination from this ridge is abrupt to the north, and the currents of the streams are hastened and often precipitated by abrupt falls. The descent southward to the Ohio is not so

marked, and the slope is more gradual. This southern declivity is penetrated by a considerable high-land thrown across the state in the latitude of Columbus and Zanesville, between which and the Ohio are included greatly diversified and picturesque areas of hills and valleys. The interior and more central parts exhibit broad, level tracts, with a profusion of swells and slight elevations moderately appearing from the plains, frequently interspersed with marshes and swamps, which is also true of sections of the northern slope.

It is estimated that over nine-tenths of the lands of the state are susceptible of remunerative tillage, and that four-fifths of the soil is of the richest fertility. But a very small proportion of the state is indeed unavailable for production. The valleys of the Muskingum, Scioto, Maumee, Little Miami and Miami rivers are garden spots on the face of the continent. It is said that the Miami and Scioto valleys produce two-thirds of the corn crops of the state. In the northern or back-bone portions of the state are the great wheat growing districts, although the entire state is most favorable to the production of this great cereal. It would seem difficult to find an extent of country equal to it, so richly endowed with the elements of fertility and agricultural possibilities. On the shores of the lake is found a profitable fruit district, and on the islands of this blue, miniature, inland sea the vine attains a rich perfection. The peach, so susceptible to the blight of pernicious frosts, finds here a most congenial atmosphere.

Increased attention has more latterly been paid to the cultivation of the more delicate fibers and fruits. The increments in the flax, wool and orchard products are especially remarkable. The improvement in the quality of these productions has more than kept pace with their enlargement in quantity. In mining enterprise an equal enlargement has been observable, and in the production of mineral coal, of pig iron, etc., there has been a corresponding expansion. The increase in these branches of production indicates a diversification of industry and the development of higher civilization. Manufacturing enterprise is absorbing capital and labor without inflicting detriment upon agriculture.

The climate of the south part of the state is mild; towards the north, and especially on the declivity of the lake, the cold increases to an equality with the same parallels in the eastern states. This

climate, not sufficiently warm to enervate, presents to a fertile soil all the stimulus necessary to splendid production.

The forest vegetation of Ohio embraces all the varieties of oak, maple, hickory, sycamore, papaw, dogwood, beech, etc. The fuel producing capacities of the state are further augmented by immense workable coal areas. These occupy the eastern and south-eastern portions of the state, among the western foot-hills proper of the Allegheny mountain system. To the northwest of the coal measures is found a very narrow belt of the underlying coal conglomerate, forming the rim of the coal basin. To this succeed the Chemung and Portage groups,* and other formations in the downward series of the devonian and silurian systems.

Its natural internal communications embrace over eight hundred miles of river and lake navigation. Its artificial highways, canals and railways afford extensive facilities for transportation. One distinguishing characteristic of Ohio is the growth of towns and cities within its borders. The percentage of increase in Cincinnati, Cleveland, Dayton, Columbus, Toledo, Zanesville, Springfield, Hamilton, Chillicothe, Steubenville, Sandusky, Portsmouth, Akron, Mansfield, etc., in the last decade and a half, has been most remarkable.

In its educational enterprises it is one of the foremost states in the Union. Two years after its admission into the Union the University of Ohio was established at Athens. Delaware, Oberlin,

*This series of formations consists of sedimentary rocks named from localities where they exist. They are composed of shales and sandstone in the state of New York, and are two thousand feet in thickness. The upper and coarser portions of these rocks have a thickness in western New York and Pennsylvania from one thousand to one thousand five hundred feet. In Ohio the Portage and Chemung rocks form the lake shore as far west as the mouth of the Vermillion river, and are called in this state the Erie shale. The lower portion of the strata is called the Huron shale, and extends in a belt of outcrop from the mouth of the Huron river to the mouth of the Scioto, and there attains a thickness of about three hundred and thirty feet. The Huron shale is known as the Black shale, and is well exposed in the banks of the Scioto, and the Ohio near Portsmouth, on the Big Walnut east of Columbus, Worthington, and on the banks of the Huron. It is of a bituminous character, and doubtless the source of the oil and gases in Ohio, and supposed to supply all the oil to the wells on Oil creek, in Pennsylvania. It is noted for the fossil fishes it contains, some of them being the largest discovered. [Jeffries, in Douglass' History of Wayne County, Ohio.]

Gambier, Hudson, Wooster, etc., are justly renowned for their colleges and universities.

Columbus, the capital of the state, is situated on the Scioto river, in Franklin county, and had a population in 1870 of 33,745. It was laid out in 1812, and the seat of government removed there in 1816.

Cincinnati, the Queen City, is situated on the north bank of the Ohio, and is the great metropolis of the state. It is located in a beautiful valley, and its manufactures embrace almost every department of industrial employment, but space will not allow their enumeration in this article. Its facilities for locomotion are most important, being situated on one of the most beautiful rivers on the continent, with railroads and canals expanding in every direction for thousands of miles. Its public edifices indicate the immense development and growth of the city. It was first settled in 1788. In 1819 was chartered as a city. In 1800 it had a population of 750, and in 1870, 216,239.

Cleveland, the commercial emporium of northern Ohio, is situated on Lake Erie, and in point of numbers is the second city in the state. It enjoys great facilities for the transit of goods and passengers. The Ohio canal, extending to the Ohio river at Portsmouth, has its northern terminus here. The population has augmented from 1,000 inhabitants, in 1830, to 92,846 in 1870. It was named after General Moses Cleveland, an agent of the Connecticut Land Company, who aided in surveying the Reserve, the site of the city being surveyed under his direction in 1796. It was incorporated as a city in 1836. In point of beauty, sanitary conditions, grandeur of private residences and solidity of public buildings, but few cities of the country compare with it. Beautiful fountains, cooling retreats, immense stretches of woodland verdure and lovely avenues, fringed and arched with magnificent trees, have won for it the name of "The Forest City."

Ohio was first settled at Marietta, on the Ohio river, in 1788. The first territorial legislature assembled in 1799; it ended by the organization of a state government, March 3, 1803, pursuant to the provisions of a constitution, formed at Chillicothe, Novem-

ber 29, 1802.* Arthur St. Clair was territorial governor from 1788 to 1803, and Edward Tiffin state governor, from 1804 to 1807. Popular name, "The Buckeye State," the Indian word Ohio-i meaning beautiful.

WEST VIRGINIA.

West Virginia, created from territory originally embraced in old Virginia, is one of the new accessions to the grand sisterhood of American states. It embraces an area of 24,000 square miles, or 14,496,000 acres. Population, in 1870, 442,014.

The topographical features of West Virginia are diversified. The Allegheny ridge in this state forms the water-shed between the Atlantic and Mississippi valley.

"The prevailing ingredients of the soils are silica, alumina, or pure clay, marl, lime, magnesia and iron, which the very unevenness of the surface tends to amalgamate to the greatest practical advantage. Thus the alluvial or bottom lands, composed of the diluvium from adjacent or distant hills, combine mechanically and chemically every kind of mineral and vegetable decomposition in the country." These soils, as a consequence, are of the richest fertility. Throughout the different regions and districts of the state the lands are of variable productiveness, the more elevated slopes and acclivities being peculiarly adapted to pasturage. Its principal rivers, all tributaries to the Ohio, are the Sandy, Guyandotte, and the Great and Little Kanawha. Conspicuous among its elements of wealth are its extended mineral deposits. Coal is found in nearly every county in the state, while seams of iron are co-extensively numerous and well defined. Plastic and fire clays are likewise found, as also petroleum in different localities. In the Kanawha valley the manufacture of salt is a large and profitable industry.

Wheeling is the capital of the state, and is situated on the east bank of the Ohio river. It has gained celebrity for enterprise in manufacture and trade, and to this spirit is due its growth and prosperity. Prominent among its manufactures are its iron works, nail mills, glass factories, etc. Its boiler works, rolling mills, spike mills, foundries, machine shops, hinge and tack establish-

*See page 552.

ments, etc., are sources of great revenue to the city, and have given Wheeling a wide reputation.

The history of West Virginia is identified with the Old Dominion. November 26, 1861, a state constitution was adopted, which, May 3, 1862, was ratified by the people, and June 20, 1863, the new state was admitted to the Union. Arthur I. Boreman was the first governor of the state, from 1861 to 1869.

TENNESSEE.

The area of this state is computed at 45,600 square miles, or 29,184,000 acres, having a mean breadth north and south of about 112 miles, while its length varies from 300 to 410 miles. Population in 1790, 35,691; 1800, 105,602; 1810, 261,727; 1820, 422,771; 1830, 681,904; 1840, 829,210; 1850, 1,002,717; 1860, 1,109,801; 1870, 1,258,520.

The state of Tennessee is characterized by three natural divisions, viz: east, middle and west, which are formed by the Cumberland mountains and Tennessee river. East Tennessee has a somewhat rugged surface, being traversed by several parallel ridges of the Apalachian chain, of which the Cumberland mountains, in its west part, is the chief. These are continuous, about fifty miles broad and frequently two thousand feet high. The middle portion of the state is less bold in its outlines, and the surface imperceptibly declines by gradations from a region overspread by hills and swells of ever-changing and varying elevation and character, to a rolling country of exquisite fertility, and watered by innumerable streams, tributaries of its great rivers, the Cumberland and Tennessee. In West Tennessee, between the Tennessee and Mississippi rivers, the surface is generally level, or slopes gradually toward the latter river, and is somewhat marked by the valleys of its affluents. There are, however, but few portions of the state so hilly and broken as to interfere with its general agricultural capacities. The hills are clothed with wood to their summits, and the soil is everywhere sufficiently fertile for profitable cultivation, or yields nourishing grasses for pasturage.

The Cumberland mountains penetrate that section of the coun-

try which lies between the Tennessee and Cumberland rivers, and expand to considerable proportions, with long regular ridges of no great elevation. Their altitudes are not remarkable, but the chains are continuous, interrupted only at great intervals by gaps, or passes. In some places they are rocky and rugged, while in others they swell gently from their elevated bases and embosom numerous picturesque and productive valleys. The valleys of the smaller rivers are delightful and rich beyond any of the same description west of the Alleghenies. The valleys of the great streams—the Tennessee and Cumberland—differ but little from the alluvions of the other great rivers of the central regions of the Union.

Noble rivers, open to navigation, and fine, pure streams, furnishing ample power for economical purposes, are distinguishing features of the state of Tennessee. The Mississippi washes the western border for one hundred and sixty miles, and its banks within this state afford some of the most valuable commercial points to be found in its long and majestic course. The Cumberland has its sources and its mouth in Kentucky, but flows for about two hundred and fifty miles in Tennessee, through which is its most southern bend.

To Nashville, the capital of the state, navigation is convenient and easy. The Tennessee also rises beyond the limits of the state. The Holston and Clinch rivers, which rise in the Allegheny ridge, Virginia, unite and form the Tennessee, the junction being effected at Kingston, whence its course is south and southwest until it enters Alabama, through which state its course is generally west to the Mississippi state line, on which it takes a north direction through Tennessee and Kentucky to the Ohio. The western portion of the state is almost entirely drained by tributaries of the Mississippi.

The soil of East Tennessee, principally calcareous (consisting of, or partaking of the nature of limestone), is eminently fertile. In the west the soils vary, the strata descending from the mountains in diversity of order. In the southern parts are immense beds of oyster shells, on high plateaus, at a distance from any stream. Nearly all the forest trees of the central country are found in the state. The pine forests of the eastern section are valuable for their turpentine, tar, etc. The sugar-maple is abundant, and the different varieties of fruits are raised in great perfection.

The climate of the state is genial and mild, comparatively free from the torrid excesses of the remoter south and the bitter, freezing winds of the north. Cattle may graze upon the plains throughout the entire season.

The mineral resources of the state consist of copper, iron, lead, etc., of which the ores are quite rich. These are, for the most part, located in the eastern and middle divisions of the state. Coal of excellent quality has been mined in various localities. The state contains quarries of fine marble; gypsum is abundant; nitrous earths are found in the limestone caverns, and there are a variety of other useful minerals throughout the country. East of the Tennessee salt is abundant, and in the eastern section there are numerous sulphur and other mineral springs.

"In the limestone regions are numerous caves, mostly unexplored. Several in the Cumberland mountains are one hundred feet deep and of great extent. A considerable river has been found in one, at a depth of four hundred feet; another opening, perpendicularly in a mountain, has never been fathomed. In some of these caverns are immense deposits of fossil bones of extinct animals. In what is known as the Enchanted mountain are seen impressions of the feet of men and animals in limestone. In many places are interesting remains of ancient mounds and fortifications."*

Nashville, named in honor of Colonel Francis Nash, who fell at Germantown, was founded in 1779, is situated on the Cumberland river and, rests upon an elevated limestone bluff, presenting a commanding appearance as seen from every direction. It is a handsome city and well built, the capitol building being one of the grandest in the west. Its population in 1870 was 25,872.

Memphis, on the east shore of the Mississippi, is the largest city in the state. Its present position was the former site of Fort Assumption, employed for the purpose of protecting the country from the invasion of the Chickasaws. It was occupied in 1783 by order of the Spanish government, and held by it until the period of the purchase by the United States of Louisiana. It is the largest city on the Mississippi, between St. Louis and New

* Zell's Encyclopedia.

Orleans, and as a shipping point, possesses great importance. Its population in 1870 was 40,226.

Chattanooga is one of the most flourishing cities of the state, its settlement having commenced in 1835. "The name of the place was Ross's Landing, taking its suggestive title from John Ross, a distinguished half-breed, who resided here, and the chief of the Cherokee Nation. * * * In 1841 the name of 'Chattanooga' was given to the place. * * * Lying in the center of the basin made by the Tennessee valley on the north, flanked on the west by Walden's Ridge, the great valley of East Tennessee on the east, Chicamauga and Chattanooga valleys on the south, and Lookout valley on the west, while the Sequachee valley is on the northwest, tending to and drawing from the great stock state, Kentucky—all pouring supplies into her capacious lap, Chattanooga offers superior inducements as a grand entrepot and re-shipping point."* In its manufacturing industries it has achieved the title of "the Pittsburgh of the South." An inexhaustible supply of coal and the prevalence of iron ore in juxtaposition to the city, insure its permanence and a grand future development. Here is the Chattanooga iron company, gas-light company, Roane iron company, fire-brick works, Etna foundry and machine works, Enterprise machine works, Wason car works, Novelty machine works, marble works, pump and pipe factory, and others of importance that might be named, employing millions of capital under the guidance and enterprise of aggressive and mastering genius. Here are railroad shops, possessed of facilities for repairing the motive power and rolling stock of the road, and here is a filagree work of railways shooting its iron fingers toward the Atlantic seaboard, reaching to the Gulf, and pointing across the Ohio and Mississippi to measureless areas of wealth and commerce.

Knoxville was laid out in 1794, and from that year until 1817 was the capital of the state. It is situated on the north bank of Holston river, at the head of navigation, and four miles below the confluence of French Broad river. The city is most eligibly located for extensive inland trade, being at the navigable head of a great river, and being on the line of inter-communication east and

* Parham's History of Hamilton County and Chattanooga, kindly furnished us by Dr. Tower Lyon and A. G. Hickman, Esq., of Chattanooga.

west—nearly through the middle zone of the Union. It has, likewise, important railroad connections. Its population in 1870 was 8008.

Murfreesboro, on a branch of Stone river, is situated on an eminence, overlooking a fertile region, and is a lively center of trade.

On the division of old Carolina into two provinces this country fell to the portion of North Carolina. Between 1740 and 1750 the eastern parts of the country were explored, and large grants of lands awarded for the service. At the commencement of the French war (1754) about fifty families were located on the Cumberland river, but these were driven off by the Indians. About the same time the Shawanees, who had lived near the Savannah river, emigrated to the banks of the Cumberland and settled near the present site of Nashville, but they also were driven away by the Cherokees. In 1755 a number of persons settled beyond the present limits of North Carolina, and were the permanent colonists of Tennessee. In 1773 population was found to have increased to a very considerable extent. In the succeeding year a war broke out with the northern Indians, residing across the Ohio, and terminated by their petitioning for peace. 1776 was rendered memorably historic by a redoubtable invasion of the Cherokees, whom the British had instigated to assault the infant settlements. The English superintendent had previously made proposals to the Tennesseans to join the English standard, and failing to seduce them from the support of the colonies, directed against them the ferocity of the savage foe. A strong force from Virginia and the Carolinas, however, soon dispersed the enemy, and peace again was established. When the constitution of North Carolina was formed, in 1776, Tennessee (then the "District of Washington") sent deputies to the convention. In 1780 the mountaineers of the borders of North Carolina and Tennessee distinguished themselves in the southern campaign at King's Mountain, Guilford, and other battle scenes, and soon after these events they penetrated the Indian country and dispersed the savages. At the peace these brave men again sought their mountain homes and devoted themselves to the improvement of their settlements. About this time a small colony of about forty families, under the direction of James Robertson, crossed the mountains and settled on the Cumberland river, where they founded the town of Nashville. The nearest white neighbors were the settlers of Kentucky, and between them was a wilderness of two hundred miles. In 1783 the legislature of North Carolina laid off a tract of land on the Cumberland river for the discharge of the military bounties and the officers and soldiers of the Continental Line. The district set apart included the colony at Nashville, a small tract having been allotted to the original settlers. After this, population began to increase rapidly. Many to whom military lands had been granted repaired thither with their families, while others sold their warrants to citizens of different states. In 1785 the inhabitants, sensibly feeling the inconveniences of a government so remote as that at the capital of North Carolina, endeavored to form an independent one, to which they gave the title of the "State of Franklin," or Frankland, but the scheme was finally relinquished. In 1789 the legislature of the state of North Carolina passed an act ceding the territory, on certain conditions,

to the United States, and in the ensuing year Congress accepted the cession, and by its act of May 26, 1790, provided for its government under the title of "The Territory of the United States South of the Ohio," which included the present states of Kentucky and Tennessee, the former having been ceded to Virginia. [Colton's Gazetteer United States.]

Tennessee adopted a constitution February 6, 1769, and was admitted into the Union June 1, 1796. It derived its name from the principal river, the term *Ten-as-se*, its probable primitive, being supposed to denote a curved spoon; hence its sobriquet, "The Big Bend State."

KENTUCKY.

Kentucky, originally included in Virginia, extends between Tennessee and the Ohio river, and is about four hundred miles in length from east to west, varying from forty to one hundred and eighty miles in width, including an area of 37,680 square miles, or 24,115,200 acres. Population in 1790, 73,677; 1800, 220,955; 1810, 406,511; 1820, 564,135; 1850, 687,917; 1840, 779,828; 1850, 982,405; 1860, 1,155,684; 1870, 1,321,011. The southeast boundary of the state is formed by the Cumberland mountains, and several outlying ridges traverse the southeastern counties. The western part is principally level, while the central portion is rolling and undulating. The soils of the state are generally fertile, those of the limestone formation being the most productive. It exceeds all the other states in the growing of tobacco, and raises half the hemp produced in the United States. Wheat, corn, rye, barley, oats, flax, buckwheat, all are profitable articles of production. Its natural pasturage and grazing areas are the finest in the country. The climate is equable, temperate, and salubrious.

Mineralogically considered, Kentucky lies within the great region of stratified rocks of the west. "The silurian groups, which are here almost exclusively of a calcareous character, extend throughout the state from north to south. They are nearly one hundred miles in width, and form the great central axis of the lowest rocks. At Louisville they dip beneath the limestone of the devonian age, which here lies in horizontal strata, forming the bed of the river and the reefs which occasion the falls at this place. The carboniferous limestone comes next in order; and farther west

are the coal measures, which form the south termination of the great coal fields of Illinois and Indiana. * * * Iron of a superior quality is found in many places, and numerous salt springs occur, yielding salt in sufficient quantity to supply not only Kentucky, but a great part of Ohio and Tennessee. Nitre and fine white marble are also plentiful. The limestone of Kentucky abounds in fossil remains of the elephant, horse, mastodon, megalonyx, etc."* These limestones also abound in caves, the largest of which is Mammoth cave. Much of the surface rock of the state is composed of the blue limestone, valuable for purposes of building; and among the cliffs of the Kentucky river there is prevalent an excellent marble. The coal beds of the State are projections or continuations of those of Ohio and Illinois. Salt-springs are found in the sandstone formation, and mineral-springs are of frequent occurrence, containing sulphur, chalybeate, etc. The streams of the state are bountiful and beautiful. The Ohio on the north and northwest, and the Mississippi on the west, with their many affluents, intersect nearly every portion of the state. The Kentucky, Salt, Green, and Licking rivers are all navigable for short distances, except the latter.

Frankfort, the seat of justice for Franklin county, and the capital of Kentucky, is beautifully situated on the Kentucky river, sixty miles from its mouth, and in the midst of the wild and romantic scenery which renders that stream so remarkable. It was established by the legislature of Virginia, in 1786, the seat of government being located here in 1792.

Louisville, the largest city of the state, and its commercial and manufacturing metropolis, is the capital of Jefferson county, and is situated on the south bank of the Ohio river, at the head of the rapids, immediately at the junction of Beargrass with that river. It is built on an elevated plain, seventy feet above low water mark, and very gently declining toward its southern border. Its manufactures are varied and extensive, and embrace a great variety of objects. Its foundries, machine shops, flouring mills, steam bagging, cotton and woollen, and tobacco factories, rope walks, etc., constitute some of its many important industries. It is liberally supplied with churches and schools, and may justly claim pre-

* Zell's Encyclopedia.

eminence as to the early establishment and progress of its educational institutions. Enjoying, as it does to a remarkable degree, river and railway facilities, it is brought in communication with the great centers of business and trade throughout the different sections of the Union. What is known as the "Falls" on the Ohio river, for a while obstructed navigation, all of which was obviated by a canal, completed in 1833. The city presents a bustling, active and attractive appearance, and many of its edifices rank with the best in the country. Its population in 1800 was 600; in 1870, 100,753. Captain Thomas Bullitt, of Virginia, is said to have laid off the town in 1773, but no settlement was made until 1778. In 1780 the legislature of Virginia passed "an act for establishing the town of Louisville, at the falls of Ohio." It was named by the Virginia legislature after Louis XVI., of France, in commemoration of his alliance with the great republic.

Covington, Newport, Lexington, Maysville, Henderson, Paducah, Columbus, Hickman, Danville, Paris, etc., are other and principal towns and cities of the state.

Kentucky was first settled at Lexington, in 1766. Colonel James Smith, John Findley, Daniel Boone, and Colonel James Knox, at periods varying from 1766 to 1770, had made excursions into the territory. Later, and from 1773 to 1777, James Herrod, Daniel Boone and Simon Kenton had erected cabins, camps, and forts within its borders. In 1774-75 an amicable withdrawal from the jurisdiction of Virginia was recommended, resulting finally in the cession of the Kentucky territory by Virginia to the federal government; and June 1, 1792, it was admitted into the Union. Isaac Shelby was its first governor, 1792 to 1796. It was so named, 1792, from its principal river. Popular name, "The State of the Dark and Bloody Ground."

INDIANA.

Indiana, the second state erected out of the old Northwestern territory, lies in the form of a parallelogram between Ohio and Illinois, and extends from the Ohio river on the south to Michigan on the north, extending from north to south about 275 miles, and from east to west 135 miles. It includes an area of 33,809

square miles, or 21,637,760 acres. Population, in 1800, 5,641; 1810, 24,520; 1820, 147,178; 1830, 343,031; 1840, 685,866; 1850, 988,416; 1860, 1,350,428; 1870, 1,680,637.

The surface conditions of the great state of Indiana are of the character of all sections of country where exist an absence of all mountain features and formations. In its topography it very generally assimilates Ohio. Omitting some isolated elevations and swells contiguous to the rivers, or sand accretions in the northern part near Lake Michigan, there are no well defined, continuous or prolonged physical protuberances in the state. Extending in a varying distance back from the Ohio river is a belt of bluffs and hills, while a moderate ridge extends transversely across the state to the northwest, occasioning rapids in the Ohio, White and Wabash rivers. Considered geographically we singularly enough discover no definite water-shed, such as is common to similar vast areas, though a crest line exists in the northern region of the state, as is evidenced in the length of the affluents of the Ohio. Pine forests prevail in the north or lake region, while the central or northern parts exhibit a pleasing diversity of prairie and well timbered districts, including such valuable varieties as the various oaks and walnut, poplar, ash, hickory, elm, cherry and maple.

The soils of the state, regarded in the light of their productive elements, vary very materially, yet are generally remarkably fertile. That portion known as the valley of the Ohio, and we may add the Whitewater, too, embraces 5,500 square miles, about two-thirds of which is splendid agricultural land, the remainder, though inclined to be hilly, being suited to pasturage. The White river valley, containing 9,000 square miles, extends centrally from the Wabash to the marginal limits of the state of Ohio, and possesses great fertility. It is uniformly level and abounds in heavy forest growths. The valley of the Wabash, the larger of the two, compassing 12,000 square miles, and interlocking with the White river valley, extends northeasterly and northwardly to include the northern portion.

It is estimated that 2,000 square miles of the Maumee valley of Ohio lie in Indiana. The soils of these valleys are proverbially rich, and in localities enjoy the advantages of first-class water-power,

and, with the exception of bluffs in their lower portions, every acre is susceptible of profitable tillage.

The agriculture of the state is in a prosperous condition, due in a marked degree, to the effective and judicious management of the various boards of agriculture of the state, and is developing great results, while there is a corresponding expansion of manufacturing industries. Her immense water forces have been brought into demand, and the exploration of coal deposits has induced the establishment, upon an extensive basis, of the machineries and engineering of steam. But more particularly as to the mineral resources. Coal, the most valuable of all minerals, exists in the state in great abundance. The measures, says Professor E. T. Cox, cover an area of about six thousand five hundred square miles, in the southwestern part of the state, and extend from Warren county, on the north, to the Ohio river, on the south, a distance of about one hundred and fifty miles. The following counties lie within its area: Warren, Fountain, Parke, Vermillion, Vigo, Clay, Sullivan, Greene, Knox, Daviess, Martin, Gibson, Pike, Dubois, Vanderburg, Warrick, Spencer, Perry, and a small part of Crawford, Monroe, Putnam and Montgomery. The coal is all bituminous, but is divisible into three well marked varieties: caking coal, non-caking-coal or block coal, and cannel coal. The total depth of the seams or measures is from six hundred to eight hundred feet, with twelve to fourteen distinct seams of coal, though they are not all to be found throughout the entire area of the field. The seams range from one foot to eleven feet in thickness, and the field may, from the character of the coal, be divided into two zones; the western contains the seams of caking-coal, and the eastern the non-caking or block coal. There are, continues Professor Cox, from three to four workable seams of caking-coal, ranging from three and a half to eleven feet in thickness. At most of the localities, when these are being worked, the coal is mined by adits driven in on the face of the ridges, and the deepest shafts in the state are less than three hundred feet; the average depth to win coal being not over seventy-five feet. The eastern zone of the coal measures has an area of more than four hundred and fifty square miles. It is here that we find the celebrated block coal, a fossil fuel which is used in the raw state for mak-

ing pig iron. In fact this coal, from its physical structure and freedom from impurities, is peculiarly suited to metallurgical purposes. It has a laminated structure with carbonaceous matter, like charcoal between the lamina, slaty cleavage, and rings under the hammer. It is free burning, makes an open fire, and without caking, swelling, scaffolding in the furnace or changing form, burns like hickory wood until it is consumed to a white ash, and leaves no clinkers. It is likewise valuable for generating steam and for household uses. Many of the principal railway lines in the state are using it in preference to any other coal, as it does not burn out the fire-boxes, and gives as little trouble as wood. There are as many as eight distinct seams of block coal in this zone, three of which are workable, having an average thickness of four feet. The cannel coal is found in great abundance in Perry, Daviess, Greene, Parke, and Fountain counties, where its commercial value has already been attested. Valuable and extensive deposits of iron ore prevail, known as the kidney or furnace ores, and in the northern counties are laid beds of bog ore, smothered in muck, free from sulphur, easily reduced and yielding a fair percentage of iron. Kaolin also exists in Lawrence county.

The almost universal fertility of the soil of Indiana is the result mainly of its position geologically. "It is well known to geologists that that soil is most productive which has been derived from the destruction of the greatest variety of rocks, for thus only is produced the due mixture of gravel, sand, clay and limestone, necessary to form a good medium for the retention and transmission of nutritive fluids, be they liquid or aeriform, to the roots of plants. Now, Indiana is situated near the middle of the great valley of northwestern America, and far distant from the primitive range of mountains, and her soil is accordingly formed from the destruction of a vast variety of rocks, both crystalline and sedimentary, which have been minutely divided and intimately blended together by the action of air and water. It has all the elements, therefore, of extraordinary fertility."*

Its principal rivers are the Ohio, constituting its southern boundary, and the Wabash, with its multiplied feeders, drawing contributions from nearly every county in the state. Its natural ad-

*Report of D. D. Owen on Geology of Indiana.

vantages for communication, consisting of several hundred miles of lake and river navigation, have received stimulating additions by systems of common and turnpike roads, canals and railroads. Iron arteries stretch out over its vast and beautiful areas, crossing the state in all directions, interlinking and handcuffing its principal cities and more important points with the great cities of the eastern, middle and western states.

The colleges and universities of Indiana are of a high order, with standards of study and excellence which insure their permanence and value.

Indianapolis, the capital and largest city of Indiana, is situated in Marion county, on the West Fork of White river, and near the geographical center of the state, its site being on a level, beautiful and fertile plain. In pursuance of provisions of acts of Congress of April 19, 1816, and March 3, 1819, the General Assembly of Indiana, by a law approved on January 11, 1820, appointed ten commissioners to select and locate a quantity of land, not exceeding four sections, for a site for the permanent seat of the state government. The commissioners, in obedience to a proclamation issued by Governor Jennings, met May 22, 1820, and June 7 a site was selected and located, which selection was confirmed by act of the legislature of January 6, 1821. The town of Corydon remained the seat of government until January 10, 1825. In this year the public offices of the state were removed to Indianapolis, the legislature holding its sessions in the Court House until December, 1834, when the State House was completed. Indianapolis may be denominated the largest inland city of the Union, and one of the most delightful of the western capitals. The new Court House is one of the most stately and massive edifices, creditable alike to the state and nation. The old State House, demolished in the spring of 1878, and built in imitation of the Athenian Parthenon, was a model in its day, but is now being succeeded by another in process of erection which will brilliantly eclipse it in the magnitude of its proportions and in the excellencies of architectural art.

Indianapolis is especially distinguished for the almost magical rapidity of its growth and population. It is handsomely and regularly laid out, with wide, spacious, well paved streets, extensively shaded with trees of umbrageous foliage. Many of its private resi-

dences are attractive and palatial, and beautiful specimens of architectural taste and neatness. Its church structures are in the various styles of ecclesiastical building. The city library is large, systematically arranged, and the public schools are upon an efficient basis. It has important manufacturing interests, and has for years been the center of an extensive lumber business. The handling and working up of the black walnut timber, for which Indiana occupies pre-eminence, has been one of its great and profitable enterprises. It is one of the most prosperous cities of the north middle section of the Union, its remarkable convergence of railroads having secured for it the title of the "Railroad City of the West."

Evansville, the second city of the state in population, is on the Ohio river. It was named after General Robert M. Evans,* a Virginian, and founded in 1836. In 1870 it had a population of 22,830.

Fort Wayne, capital of Allen county, is located on a slight elevation, opposite to which, on the north, the St. Mary's and the St. Joseph unite and form the Maumee. It is built on the site of the old "Twigtwee village," in the Indian dialect called Ke-ki-o-que; and here stood old Fort Wayne, built by General Wayne in 1794; and farther below, on the opposite side of the Maumee, was fought the disastrous battle of October 22, 1790. In 1841 the Miamis and Pottawattomies were removed, and it ceased to be a military post. The city has had a rapid but solid growth, and enjoys many advantages from its railroad connections. Its population in 1870 was 17,718.

Lafayette, New Albany, Terre Haute, Madison, Richmond and Vincennes are prominent cities.

The first attempted settlement of Indiana was in 1702, by the Sieur Juchereau, a Canadian officer, assisted by the missionary,

*General Evans was born in 1783, in Virginia. In 1803 he removed to Paris, Kentucky, where he married Jane Trimble, sister of Judge Robert Trimble, of the Supreme Court of the United States. In 1805, with his family, he removed to the Indiana territory. In the war of 1812 he served with General Harrison, first as an aid and afterwards as a brigadier-general in command of a large body of militia from Indiana and other territories. He participated in the battles of the Thames, Tippecanoe, and other engagements, and had the reputation of being one of the best officers in the army—not only on account of his bravery, but also his sagacity and ability as a leader.

Mermet. It became a trading post in 1716; but little is known of its early settlement until 1763, when it was ceded to Great Britain. It was the second state erected out of the old Northwestern territory; was organized as a territory May 7, 1800; adopted a constitution June 29, 1816, and admitted to the Union December 11, 1816. William H. Harrison was the first territorial governor, from 1800 to 1811, and Jonathan Jennings the first state governor, from 1816 to 1822. It received its name in 1809, from the American Indians. Popular name, "The Hoosier State."

ILLINOIS.

Illinois is the third state formed from the old Northwestern territory, and possesses an extreme length, from north to south, of 380 miles, with an average breadth of 140 miles, expanding at some points to 200 miles. Its area is 55,410 square miles, or 35,462,400 acres. Population in 1810, 12,282; 1820, 55,162; 1830, 157,445; 1840, 476,183; 1850, 851,470; 1860, 1,711,951; 1870, 2,539,891.

The surface of Illinois may be regarded as a table land, elevated from three hundred and fifty to eight hundred feet above sea level, with a general inclination toward the Ohio and Mississippi rivers, to which nearly all its streams are tributary. No mountains or high hills are to be found, the undulations being a gentle slope. The prairies are sometimes small, and sometimes aggregated in large bodies of land interspersed with groups and belts of timber. The prairie scenery of the state is unique and enchanting, from the graceful undulations of the surface and the wonderful variety and richness of natural flowers and shrubbery.

The soil of the state, of diluvial origin, is unsurpassed in fertility, and its productive power is admirably brought out by a genial and salubrious climate.

Its mineral deposits are exceedingly valuable. From the great diffusion of rocks of the carboniferous group, this state has been described as one vast coal field; but subsequent study and investigation have corrected these impressions. The northern limit of the carboniferous outcrop is a line crossing the state, in a general southeast direction, from the mouth of Rock river, including a

portion of Indiana, and crossing the Ohio river into Kentucky. Some outlying coal beds, however, are found to the northeast of this line. The coals of Illinois are all bituminous, some being of the cannel variety, and rich in carbon. They are conveniently located in beds easily accessible to the Ohio and Mississippi rivers, and to the railroad lines. In the silurian limestones, overlapping the northwest corner of the state, are found extensive deposits of lead, constituting a portion of the great Mississippi lead region extending over the coterminous parts of Illinois, Iowa and Wisconsin. Its climate, extending through five degrees of latitude, presents a great diversity of temperature. In the production of corn and wheat it is one of the first states in the Union, while its yield of other staples is annually augmenting. Its natural communications embrace a river and lake navigation of nearly or quite two thousand miles, and its commerce has advanced with astonishing strides during the last twenty years. Its moral and intellectual forces are on a basis co-extensive with its immense physical resources and its enormous activities. A large number of colleges and universities, with professional schools, give ample facilities for acquiring the highest elements of education. The religious establishments, working with wonderful power upon the people, vindicate the principle of voluntary support, and supply conservative influences of untold efficiency upon the welfare of the general community.

Springfield, the capital of the state, is in Sangamon county, its site being a level plain, on the margin of a broad and beautiful prairie, adorned with fine groves and some of the more valuable farms of the state. It has been denominated the "City of Flowers," has numerous excellent public and private buildings, and is a point of commercial interest. It was first settled about 1819, and in 1837 became the capital. Its population in 1870 was 17,365.

Chicago is the great metropolis of the state, and the most important railroad center in the interior of the continent. In respect to gigantic growth and marvelous development, it is, perhaps, the most extraordinary city in the world. Prior to 1831 the site on which it stands was possessed by a frontier fort and a few cabins only, embracing, possibly, a score of families, independent of the small garrison. The town was organized August 10, 1883, and its

first charter granted March 4, 1837. Latrobe, an intelligent traveler who visited it in 1833, thus spoke of it: "This little mushroom town is situated on the verge of a level tract of country, for the greater part consisting of open prairie lands, at a point where a small river whose sources interlock, in the wet season, with those of the Illinois river, enters Lake Michigan. It, however, forms no harbor, and vessels must anchor in the open lake, which spreads to the horizon, on the north and east, in a sheet of uniform extent." The contrast between the Chicago of 1833 and the Chicago of to-day is wonderfully startling, and the writer of the above paragraph, had he been told that this "mushroom town," was so soon to become the focus of a commerce equal to that of the foremost cities of Europe, and possess a population of 400,000 in half a century, would he have credited so astounding a fact, or would he not have considered the prognostication the emanation of an infatuated and bewildered brain?

The city is situated on the western side of Lake Michigan, and is bordered by a wide, rich and beautiful prairie. Its public buildings are magnificent, and many of its private residences palatial. Its benevolent institutions, churches, colleges, public schools, universities, theological seminaries, hotels, theatres, squares and parks, are ornaments to the city and illustrative of the matchless enterprise of its people, and their intelligent devotion to the cause of humanity, education, morals and religion. Situated upon the lake, the steamships that plough those great inland seas of the north convey merchandise to and from her harbor, and the nucleus of a network of railways, she communicates with the remotest sections of the Union. Her grain markets, considered as inland from the seaboard, are unrivaled in the world, and her grain elevators, which have been described as amphibious institutions, flourishing only upon the banks of navigable waters, if not monstrosities are curiosities. As a beef and cattle market it has no rival in the west, and in pork packing divides honors with Cincinnati. Its lumbering interests are a prominent feature of its expanding commercial business, and its manufacturing industries are represented by wrought-iron works, steam engines, machinery, agricultural implements, brass and tin tin wares, marble works, etc. The commercial activity of Chicago has built up quite a number of secondary commercial depots at

different points in the state in which to gather the elements of the splendid tide of trade movement at the great metropolis. This commercial system, built upon a gigantic method of productions of both raw and manufactured material, promises a still greater enlargement in the future.

In the month of October, 1871, a conflagration, the most appalling and terrible of any in modern times, swept away three and a quarter square miles of the most valuable business blocks and residences, with a loss estimated at about \$300,000,000. But, notwithstanding this destructive calamity, a new Chicago has arisen, like the Phoenix from her ashes, grander than the first. Its population in 1870 was 298,977.

Besides the capital and Chicago, other important towns and cities of the state are Quincy, Peoria, Jacksonville, Cairo, Decatur, Galesburg, Alton, Bloomington, Galena and Rockford.

It is said Father Marquette and Perrot visited the site of Chicago respectively in 1673 and 1670, the lands then being held by the Miamis, but subsequently by the Pottawattomies, until the treaty with Wayne, 1795.

The territory comprised in the present state of Illinois was discovered in 1670, by a company of French colonists, who made their first settlements at Kaskaskia and Cahokia, in 1673. It was first settled by the French, in whose possession it remained for eighty years, from the settlement of La Salle to the treaty of Paris, in 1763, by which all territory claimed as Louisiana, east of the Mississippi, was surrendered to the English. Virginia claimed this territory, not only in virtue of her original charter from the king of Great Britain, but also by right of conquest. The expedition of General G. R. Clark, by which the authority of the British was finally subverted, was organized and prosecuted under authority of the state government of Virginia. This claim, however, including both the eminent domain and the proprietary interest in the soil, was ceded to the United States, on the twenty-third of April, 1784, other states, about the same time, surrendering their claims to portions of the Northwestern territory. After the erection of the state of Ohio, Illinois formed part of the territory of Indiana. In 1809 it was constituted a separate political division, under the name of Illinois, with boundaries extending northward

to the national frontier, which status it maintained, with reduced limits, until admitted as a state, December 3, 1818. Nathan Edwards was the first territorial governor, from 1809 to 1818, and Shadrach Bond the first state governor, from 1818 to 1822. This state was named after its principal river, Illinois, signifying "The River of Men." Popular name, "The Sucker, or Prairie State."

MICHIGAN.

Michigan is divided, by the lake of the same name, into two large peninsulas, the most northern of which, lying between Lakes Superior and Michigan, is 316 miles long, and from 36 to 120 broad, and the southern, included between Lakes Michigan, Huron, St. Clair and Erie, is 416 miles long and from 50 to 300 miles wide. Its area is 56,451 square miles, or 36,128,640 acres. Population in 1810, 4,762; 1820, 8,765; 1830, 31,639; 1840, 212,267; 1850, 397,654; 1860, 749,113; 1870, 1,184,059.

The northern peninsula is more bold and picturesque, and the southern richer in agricultural resources. The eastern portion of the former rises gradually from the lake shore into an elevated plateau and swells westwardly into hills, which finally enlarge into the Porcupine mountains, the dividing ridge between Lakes Superior and Michigan, the highest peaks attaining an altitude of 1,800 or 2,000 feet. The shores of Lake Superior are studded with beautiful scenery, prominent among which are the "Pictured Rocks," masses of parti-colored sandstone, sixty miles from Sault Ste. Marie, worn by the waves into fantastic shapes resembling ruined castles and temples. The southern peninsula is more level and is agreeably diversified by beautiful prairie lawns, commonly called "oak openings."

The mineral deposits of Michigan are upon a magnificent scale, the upper peninsula being especially rich in this endowment. Prominent among its ores are those of copper, which are found in several varieties, mostly in the primitive formations. These copper deposits are the richest in the world, occupying a belt of one hundred and twenty miles long and from two to six miles wide. On the northern peninsula are found large deposits of iron. The

production of salt is an advancing interest, and bituminous coal is mined in increasing quantities.

The soil is excellent, especially in the middle and south sections of the lower peninsula, being generally free from encumbering rocks, and composed of a deep, dark, rich, sandy loam, often mingled with gravel and clay. The surfaces of the soil of the upper peninsula are various, a considerable portion consisting of sterile sand ridges and marshy tracts, while the other or hilly parts are generally covered with dense pine forests. Both peninsulas contain extensive tracts of heavy timber, furnishing large quantities of lumber and fuel for domestic use and exportation. Many varieties of woods suitable for fine cabinet-work are found within the limits of the state, and its pine forests are noted as the source of excellent building material, the lumber trade having become a great and enlarging industry of immense profit to the people. The yield of 1870 amounted to over two billions of feet. The commercial position of Michigan is one of remarkable advantage. It has 1,400 miles of lake navigation along its shores, and a water communication with the Atlantic.

Its public school system is of a high character for thoroughness of training and effectiveness of organization. Its university system has already commanded respectful attention among educators, not only in this country but also in Europe. Its climate is less severe than in the same parallels in the neighboring British provinces, being equalized and ameliorated by the immense bodies of fresh water on the border. The temperature is admirably adapted to wheat in all parts of the state, while in the southern part good crops of maize are raised, as well as vast quantities of grapes, peaches, and the more delicate fruits.

Lansing, situated in Ingham county, is the capital of the state, the seat of government having been located there in 1847, and removed there from Detroit in 1850. It has valuable railroad connections, and, situated on the Grand river, enjoys the advantages of splendid water power. Its population in 1870 was 5,226.

Detroit, the metropolis of the state, and the county-seat of Wayne county, is situated on the northwest side of the Detroit river. It is largely engaged in manufacturing iron machinery,

locomotives, mill irons, cabinet and brass ware, lumber, window-sashes, leather, etc. Ship-building and the lumber trade are important branches of industry. Its position is most admirable as a commercial point, having extended railway connections and lake communications. It was founded by the French in 1670. Population in 1870, 75,580.

Among other principal towns of the State are Grand Rapids, Jackson, Adrian, Kalamazoo, Saginaw, Ann Arbor, Bay City, Ypsilanti, etc.

The state of Michigan was originally settled by the French. After the founding of Detroit, in 1670, trading-posts were established at Sault Ste. Marie, Michilimackinac (Mackinaw) and Green Bay. "On the expulsion of the French from Canada, and the consequent conspiracy of Pontiac, Michigan became involved in a war for extermination of the whites; the garrison of Michilimackinac was butchered, and Detroit suffered a long siege. The Americans took possession of the latter place in 1796. Michigan then became included in the jurisdiction of the Northwestern territory, and in 1802, on the admission of Ohio as a state into the Union, was annexed to the territory of Indiana. In 1803 (January 11), however, Michigan was also, in its turn, declared a territory, under the governorship of General W. Hull. During the war of 1812 it suffered severely, Detroit and Michilimackinac being captured by the British." It was admitted into the Union January 26, 1837. Stevens T. Mason was the first state governor, from 1836 to 1840. It was so called, in 1805, from the lake on its border. Indian name, meaning "A weir for fish." Popular name, "The Wolverine State."

WISCONSIN.

Wisconsin was created from the territory ceded to the United States by the state of Virginia. By act of February 3, 1809, the region now known as Wisconsin was attached to the territory of Illinois until 1818, when the latter was admitted into the Union as a state, and Wisconsin was attached to Michigan as a territory for all purposes of government. It embraces an area of 59,924 square

miles, or 34,511,360 acres. Population in 1840, 30,945; 1850, 305,391; 1860, 775,881; 1870, 1,054,670.

“The surface features of Wisconsin are simple and symmetrical in character, and present a configuration intermediate between the mountainous, on the one hand, and a monotonous level on the other. The highest summits within the state rise a little more than one thousand two hundred feet above its lowest surfaces. A few exceptional peaks rise from four hundred to six hundred feet above their bases, but abrupt elevations of more than two hundred or three hundred feet are not common. Viewed as a whole, the state may be regarded as occupying a swell of land lying between three notable depressions: Lake Michigan on the east, about five hundred and seventy-eight feet above the mean tide of the ocean, Lake Superior on the north, about six hundred feet above the sea, and the valley of the Mississippi river, whose elevation at the Illinois state line is slightly below that of Lake Michigan. From these depressions the surface slopes upward to the summit altitudes of the state, but the rate of ascent is unequal. From Lake Michigan the surface rises by a long, general acclivity westward and northward. A similar slope ascends from the Mississippi valley to meet this, and their junction forms a north and south arch extending nearly the entire length of the state. From Lake Superior the surface ascends rapidly to the water-shed, which it reaches within about thirty miles of the lake.”*

The soils of the state are rather varied; those in the southern part, and especially those in the southeast, are very productive, but in the northern areas they become thinner and better suited to pasturage. The agricultural footings of Wisconsin exhibit large yields of wheat, rye, oats, barley, corn, hay, flax, potatoes, tobacco, grasses, which compose the chief field products. A large part of the state is admirably adapted to fruit raising, and all kinds of vegetables flourish in the northern latitudes in abundance and perfection.

The geology of the state is comparatively simple, the series of rocks extending only from the trappean, or primary system, to the devonian. Its whole surface, with the exception of the lead re-

*T. C. Chamberlain, State Geologist, in Snyder and Van Vechten's *Historical Atlas of Wisconsin*.

gions in the southwest, and the country lying along the Mississippi river, is covered by the remains of the "glacial" or "drift" period, consisting of disintegrated fragments of most every geological formation. Hence it is that soils of great uniformity of character cover large areas, since the drift deposit rather than the underlying rocks gives character to the soil. All the geological formations are older than the coal measures, and hence no coal deposits are found in the state. The Potsdam sandstone is found on Lake Superior, embracing calcareous deposits, fossil remains of animals, etc., while in some of the southwest counties the Galena limestone is present, yielding copper, zinc and lead. Iron ores are worked in several localities, extensive beds existing throughout the state. Deposits of peat and shell marl are found in the beds of ancient lakes, and in the extensive marshes plumbago and gypsum exist in considerable quantities. Clays also abound adapted to the manufacture of earthen wares.

The northern districts of the state yield immense quantities of timber of the finest quality, the white and Norway pines constituting the basis of the forests of the state. Sixty varieties of timber are found within its borders.

Madison, the political capital of the state, is beautifully situated between the Third and the Fourth of the chain of the Four Lakes, in the midst of a fertile agricultural region. It was chosen as the seat of government in 1836, chartered as a city March 4, 1856, and in 1870 had a population of 9,176. The city "perhaps combines and overlooks more charming and diversified scenery, to please the eye of fancy and promote health and pleasure, than any other town in the west. Its bright lakes, fresh groves, rippling rivulets, shady dales and flowery meadow lawns are commingled in greater profusion, and disposed in more picturesque order, than we have ever elsewhere beheld."

Milwaukee, the great commercial metropolis of Wisconsin, is situated on the western shore of Lake Michigan, ninety miles north of Chicago. It is one of the leading railroad centers in the state, and in fact of the great northwest, enjoying a vigorous trade with the finest wheat-growing areas of the globe, and has long been classed as the greatest primary wheat market of the world. It possesses one of the best harbors on the northern lakes, supports a

regular line of steam propellers, communicating with all the principal ports on the great chain of lakes, with one crossing the lake to Grand Haven, during nine months of the year. In 1870 its population was 71,499. It was settled in 1834-35, although it had long been a trading-post, and in 1846 it was incorporated as a city.

Racine, Kenosha, Fond-du-Lac, Oshkosh, Janesville, Beloit, Green Bay and Watertown are flourishing towns and cities of the state.

It is believed that adventurers and missionaries, as early as 1634, penetrated the territory embraced within the present state of Wisconsin, then under the dominion of the Sioux and Algonquin nations. Father Rene Menard, in 1660, visited its northern part, and ten years thereafter Father Claudius Allouez appeared among the Menomonees, for the purpose of an attempt to christianize them. The French held jurisdiction of the territory from 1671 to 1761, but in 1760 it was surrendered to the British, when it was under the dominion of Canadian laws until after the revolution. Great Britain withdrew her garrison from the post at Green Bay in 1796. Butterfield, the historian of the state, in the Historical Atlas already referred to, and noted for his great accuracy, says: "An early French-Canadian trading station, at the head of Green Bay, assumed finally the form of a permanent settlement—the first one in Wisconsin. To claim, however, that any French-Canadian is entitled to the honor of being the first permanent white settler, is assuming for him more than the facts seem to warrant. The title of 'The Father and Founder of Wisconsin,' belongs to no man."

Wisconsin was organized as a territory April 20, 1836, adopted a constitution January 21, 1847, and was admitted to the Union March 3, 1847. Henry Dodge was the first territorial governor, from 1836 to 1841, and Nelson Dewey the first state governor, from 1848 to 1851. It was named from its principal river, in the Indian tongue meaning, "Wild rushing water." Popular name, "The Badger State."

MINNESOTA.

Minnesota, one of the most northern states of the American Union, has a length from north to south of 380 miles, and a

breadth of 350 miles. It contains 83,531 square miles, or 53,450,840 acres. Population in 1850, 6,077; 1860, 172,023; 1870, 439,706.

"Lying near the center of the continent, Minnesota occupies the summit of the interior plateau formed by the converging basins of the Mississippi river, Lake Superior and Lake Winnipeg, embracing the head waters of the three great river systems of North America. Its series of undulating plains, seldom broken by abrupt elevations, and never rising into mountains, present an agreeable variety of prairie, alternating with belts of heavy timber, and studded with beautiful lakes, whose inter-communication, together with the large and numerous rivers, form a system of internal navigation permeating all parts of the state."

The general surface of the state is sufficiently undulating for all ends of successful drainage, yet in most cases admits of easy and profitable tillage.

The soils are rich and fertile, the climate invigorating and delightful. Prairie and timber alternate, and droughts are not of frequent occurrence. The great lakes of the east and north, and the many streams and smaller lakes that diversify this region, with the Mississippi and Red rivers on the north, furnish such a vast surface for solar action during the summer that evaporation is rapid and is generally condensed by the cool nights, watering the earth with numerous and seasonable gentle showers.

The mineral ranges consist of iron, copper, coal, lead, excellent slates, limestone, potters' clay and Indian pipe stone, or red clay.

No state has greater natural advantages for crop raising and grazing. In nearly every section there is abundant supply of timber, while the adjacent and fertile prairies are waiting for the plow. Thousands of cattle are fed on the nutritious grasses of the lowlands, enhancing the revenues of the farmer with little care and labor.

The water power of the state is wonderful, that of St. Anthony being equal to one hundred and twenty thousand horse power, all of which is utilized, whereby hundreds of millions of feet of sawed timber are annually manufactured. Its forests of pine in the north portion are simply inexhaustible. The state is being supplied with

railroads in nearly every direction, furnishing facilities for the shipment of every article to and from the settlers, and constituting a network of communication that will rapidly unfold the resources of the state. The authorities are bestowing special attention upon education, and the school system of Minnesota compares with that of any of the commonwealths of the west.

St. Paul, situated nine miles below the falls of St. Anthony, and on the left bank of the Mississippi river, and over two thousand miles from the Gulf of Mexico, is the capital of the state. Its site is that of a bluff, rising above the river levels to a height of seventy or eighty feet. The city has had an almost magical growth, and in 1870 had a population over 20,000. It was permanently settled in 1838, made the capital eleven years afterward, and chartered as a city in 1854. It is at the head of steamboat navigation on the Mississippi, and is connected by rail with Milwaukee, Chicago, Duluth, etc. It is the largest city in the state, though Minneapolis, Winona, St. Anthony, Rochester, etc., command much importance.

As early as 1679 the Franciscan priest, Louis Hennepin, with some fur traders, explored the upper Mississippi to the falls, which he reverently named St. Anthony. In 1776 Captain Jonathan Carver, a citizen of Connecticut, visited the country. About 1805 the first actual settlements were made. It was organized as a territory March 3, 1849, and a government established in June, its dimensions being double its present area, and extending on the west to the Missouri river. It was admitted to the Union February 14, 1859. Alexander Ramsey was the first territorial governor, from 1849 to 1853, and Henry H. Lilley the first state governor, in 1858. Minnesota is an Indian word, meaning "The Whitish Water." Popular name, "The Gopher State."

IOWA.

Iowa occupies a delightful zone between the parallels of forty degrees and thirty minutes, and forty-three degrees and thirty minutes north latitude, extending from the Mississippi to the Missouri. Its extreme length is about 300 miles, with a nearly uniform breadth of 208 miles, including an area of 55,045 square

miles, or 35,228,800 acres. Population in 1840, 43,112; 1850, 192,214; 1860, 674,913; 1870, 1,194,020.

The soil of the state is exceedingly fertile and presents a great diversity of graceful undulations, securing effective drainage, and is delightfully varied with agreeable alternations of prairie and timber land. These undulations, characteristic of the high or upland prairies, are the most beautiful and usually the best suited to cultivation, and remind the tourist very strikingly of the swells and surges of the sea; and hence the appellation of "rolling prairies."

The climate is most wholesome and salubrious, being dry and invigorating, supplying easy transitions from the enervating heat of Missouri, on the south, to the lower temperature of Minnesota, on the north. The climate of the southern portion is adapted to maize, while that of the north is more congenial to the production of wheat. The soil is well watered with springs and streams.

The mineralogy of the state is both valuable and extensive. The vast coal field of Missouri and Iowa covers an area of 25,000 square miles, or 16,000,000 acres, in the central and southern portions of the state, bounded by a line approaching to a semi-circle, outside of which is a belt of the upper carboniferous limestone, of variant width; the channel of the Mississippi, on the southeast, cuts through a belt of lower carboniferous limestone. The coal veins of the state are not generally so thick as in the southern portion of the same coal field in Missouri. The great Mississippi lead region extends into Iowa, forming the basis of an extensive mining enterprise, Dubuque being the center of the lead production. Copper and zinc also prevail in some localities.

The enlargement of fields of agricultural enterprise in Iowa has been most unprecedented, even amid the remarkable developments of the western sections of the country. The introduction of hedges has contributed an element of pleasing beauty to Iowa landscapes, superceding the cumbrous and non-attractive fences found in other states.

Its multiplicity of high schools, of superior character, its numerous colleges and universities, are the intelligent product of the moral and intellectual forces of this massive civilization. Its population is marvelously augmenting, as is evidenced by the statistics

of the last four decades, the state annually receiving its quota from the foreign immigration.

Des Moines, the capital of the state since 1855, situated at the head of steam navigation on the river of the same name, is a thriving city, with a population, in 1870, of 12,035.

Davenport, on the Mississippi, is the largest city in the state, and was first settled in 1836. It has an extensive river commerce and railway connections with the country at large, and had a population, in 1870, of 20,042. It was named after Colonel Davenport, a native of Britain, who removed to this country and became an officer in the American army, in 1812, and who was assassinated, by outlaws, in 1845.

Dubuque, on the Mississippi, was settled in 1833, and fourteen years thereafter chartered as a city. It is said to be one of the handsome and desirable cities of the state. Its site is upon a table area or terrace, but notwithstanding surface irregularities, it is tastefully and regularly built. It was first settled by Canadian-French, in 1786, for the purpose of traffic with the Indians. Independent of its being the great mineral depot of the Iowa lead region, it is a center of trade, and interchanges largely with the interior, of which it is an outlet. Its population, in 1870, was 18,404.

Burlington, on the Mississippi, has many fine public edifices, numerous manufacturing establishments, and a large commerce. The lands on which the city is built rise gradually from the river to the bluffs, which form a sort of amphitheater around it. Black Hawk, the celebrated Indian sachem, is buried here. It was first settled in 1833; in 1838 it was made the seat of government under the territorial organization of Iowa; the next year the capital was removed to Iowa City, and in 1855 to Des Moines.

Keokuk, another of the growing cities of the great river, like them enjoys remarkable facilities for trade and transportation, both by rail and water. Its name is that of an Indian chief, and in 1870 had a population of 12,769.

Council Bluffs, Muscatine, Iowa City, Fort Madison, Independence, etc., are other towns and cities of Iowa.

Iowa once formed a part of the French possessions, and was included in the vast tract of country purchased in 1803, under the

general name of Louisiana. The first purchase of lands from the Indians was made in 1832. It was first settled at Dubuque, by Julien Dubuque, an adventurer and trader; formed from lands purchased from the Indian aborigines; organized as a territory June 12, 1808, and admitted to the Union December 28, 1846. Robert Lucas was the first territorial governor, from 1838 to 1841, and Ansel Briggs the first state governor, from 1846 to 1850. Iowa, so called from its principal river, meaning, in Indian, "The sleepy ones." Popular name, "Hawkeye State."

MISSOURI.

Missouri, a part of the region of country acquired from France in 1803, has an extreme length, from east to west, of 318 miles, its width being 280 miles, with an area of 65,350 square miles. or 41,824,000 acres. Population in 1810, 20,845; 1820, 66,557; 1830, 140,455; 1840, 383,702; 1850, 682,044; 1860, 1,182,012; 1870, 1,721,295.

Almost every variety of surface, except the extremely mountainous, is compassed within this state. The Ozark mountains occupy a large portion of the interior south of the Missouri, extending to the southwest corner of the state; but they are rather high hills and ridges than mountains, with prairies intervening. In the southeast the country is low, flat and marshy, but is said to once have been susceptible of cultivation; its depressed and marshy character being the result of the earthquakes of 1811-12. West of the Ozark the surface spreads out with broad, rolling prairies, extending to the western boundary. North of the Missouri the country attains the highest altitude in the northwest, gradually inclining to the south and east—all the streams flowing south. The divide between the waters flowing into the Mississippi and those uniting with the Missouri from the north, constitutes an elevated plain, and is traversed by the North Missouri railroad. Besides these general undulations there are frequent irregularities of surface, which give the whole its rolling character. The numerous water-courses everywhere intersecting the country have worn deep valleys, giving some places a rough and broken appearance. The

general surface is, however, level. The valleys form an important feature in the physical structure of the state, and exercise a material influence upon its climate. The bottom lands are exceedingly fertile, and on the large streams vary in width from two to ten miles, those on the smaller streams being of a proportionate width.

The Missouri river divides the state into two sections, distinguished from each other by unlike geographical and geologic conditions. South of the river, as far west as the Osage, the country is rolling, and rises to hilly and mountainous aspects, the geologic structure consisting of solid strata of carboniferous and silurian limestone and sandstone, reposing on or around the unstratified primary rocks. The soils in this region partake very largely of decomposed limestone, sienite and magnesian limestone, and possess average fertility, unless impaired by the presence of oxyde of iron, as is the case in mineral regions. The lands north of the Missouri are not so elevated or mountainous, and are exceedingly fertile and productive. Carboniferous limestone composes its substratum, the soils being largely calcareous, or abounding in lime, and arenaceous, or sandy, the former class of soils producing lavishly, especially on the margins of the rivers. In fact, it may be said of the soils of Missouri that they include an extensive variety, and afford splendid facilities for a remarkably varied agriculture. The alluvial districts have light, deep, porous, silicious soils, are very productive and little susceptible to the influences or effects of wet or dry seasons. In the southeast and marshy regions the soil is rich and carries an immense crop of vegetation. The uplands present even a greater variety of soils and surface, and are available for broader areas of cultivation.

The mineralogy of Missouri is immensely rich. "The iron region around Iron mountain and Pilot Knob is unsurpassed in the world for the abundance and purity of its deposits. On the Maramee river, and in some other localities, are found small quantities of lead. Copper is found extensively deposited, being most abundant near the La Motte mines. It is also found with nickel, manganese, iron, cobalt and lead, in combinations, yielding from thirty to forty per cent. All these metals, except nickel, exist in considerable quantities; also silver in combination with lead ore and tin. Limestone, marble, and other eligible building material are abundant,

especially north of the Missouri. The geological formations of the state are principally those between the upper coal measures and the lower silurian rocks. The drift is spread over a large surface; in the north vast beds of bituminous coal, including cannel coal, exist on both sides of the Missouri river."

The climate of Missouri is variable, and characterized by great extremes of temperature at opposite seasons of the year, but is generally healthful.

Its physical position is most advantageous as applied to commerce, being threaded by lines of inter-oceanic railways, and others converging toward St. Louis, while the great highway of trade sweeping along its eastern boundary offers a ready and economical transportation for its agricultural and mineral products to the finest markets, domestic and foreign. Suitable provision has been made for advancing the interest of education in the state, while the church accommodations favorably compare with other sections of the west.

Jefferson City, on the River Missouri, is the political capital of the state, and in 1870 had a population of upwards of 5,000.

St. Louis, the great commercial metropolis of the Mississippi valley, is situated on the west bank of the Mississippi river, twenty miles south of the confluence of the Missouri, and nearly one thousand two hundred miles above New Orleans. The site of the city has been thus described: "It rises from the river by two plateaus of limestone formation; the first twenty and the other sixty feet above the floods of the Mississippi. The ascent to the first plateau, or bottom, as it may be termed, is somewhat abrupt; the second rises more gradually, and spreads out into an extensive plain, affording fine views of the city and river." It is rapidly growing in wealth and commercial importance, and as a manufacturing point is surrounded on all sides by regions immensely rich in almost every element of agricultural and mineral wealth.

St. Louis is emphatically and pre-eminently a manufacturing city. Its proximity to the ore mountains of the state, and the contiguity of its coal mines invest it with advantages in this respect enjoyed by no other city in the west. Her flouring mills are conducted upon an immense basis, and her sugar refineries supply a large per cent. of the saccharine delicacy consumed in the vast re-

gions of the Mississippi. The production of oils, chemicals, tobacco, etc., and the conversion of hemp into bale rope and bagging, and the packing of pork, beef, hams, etc., furnish employment to an army of experts and laborers. The manufacture of iron surpasses all others in the magnitude of its ramified operations and in the aggregation of capital employed. Its public edifices, the City Hall, Court House, Custom House, Merchants' Exchange, United States Arsenal, are constructed upon a magnificent scale. Its churches, benevolent and educational institutions, etc., testify to the wisdom and intelligence of the spirit that inspired them. Situated in the geographical center of the Mississippi valley, its advantages as a great commercial depot can not well be exaggerated, while the resources of its immediately adjacent country are immense and wonderful. In an area of less than one hundred miles from the great pulsating heart of the city, iron, coal and lead are sufficiently plenty to supply the entire country for indefinite eras in its upward and unraveled history, and of this region St. Louis is the chief and natural outlet. Capital alone is needed for the development and dispersion of the treasures of these riches, and St. Louis, unaccustomed to fictions in trade and business, possesses the wealth, within her own hand, for the stupendous achievement.

The three great rivers, Mississippi, Missouri and Ohio, furnish it uninterrupted and connected water-ways for a distance of upwards of eight thousand miles, passing through immense areas, productive beyond description in mineral, vegetable, forest and animal products, and demanding for the support of their multiplying population a vast amount of manufactures and productions of foreign countries and the seaboard states.

St. Louis was settled by the French in 1764, but was little more than an Indian trading post until the territorial government was formed. It was named by La Clede, an old trapper, in honor of Louis XV. of France, who, in 1764, visited the spot now occupied by the city. In 1822 it was incorporated as a city. Its population, in 1830, was 6,694, and in 1870, 310,864.

Kansas city, on the Missouri river, near the mouth of the Kansas, infused with the fresh blood of ambitious enterprise, is rapidly ascending to enviable heights of manufacturing and commercial

prominence. The country surrounding it is beautiful and eminently fertile. It maintains an extensive trade upon the waters of the upper Missouri, is centrally located, is the focus of a great railway system, and very largely controls the cattle market of Texas. It was incorporated in 1853, and in 1870 had a population of 32,260.

St. Joseph, on the Missouri, originally a starting point for the emigrant trains bent toward the Rockies and the Pacific slope, is a city of growing importance; as may also be said of Hannibal, which enjoys a deserved prosperity, and is considerable of a manufacturing point.

Missouri was included with Louisiana in the purchase from the French in 1803. As early as 1673 it was visited by Marquette and Joliet. It was organized June 4, 1812, and admitted August 10, 1821. Alexander McNair was the governor from 1820 to 1824. It was so called, in 1821, from its chief river, and in the Indian interpretation means "Muddy water."

ARKANSAS.

Arkansas was one of the southwestern states of the Federal Union, is 242 miles in length, from north to south, with varying breadth from 170 to 220 miles, including an area of 52,198 square miles, or 33,406,720 acres. Population in 1820, 14,255; 1830, 30,388; 1840, 97,571; 1850, 209,897; 1860, 435,450; 1870, 484,471.

The physical conformation of the state is decidedly advantageous and very greatly enhances the value of its geographical position. In the southeast corner of the state the altitude of the surface does not exceed two hundred feet above tide-water. From this point the country rises to the northwest, and in the interior attains an altitude of two thousand feet on the extensive plateau, while the mountains reach an altitude of three thousand feet. Within the space of about two hundred and forty miles, from north to south, in the limits of this state, are to be found all the climatic and other conditions of ten degrees of latitude. Thus, in the southern sections of Arkansas many varieties of semi-tropical fruits and plants grow successfully, and great southern staples are abundantly pro-

duced. Approaching the northern sections, all these products give place to the great staples and products of the northern states. So varied and extensive is the soil and its products, that with but few exceptions all the cereals, plants and fruits known to American husbandry may be produced within the limits of the state. The more eastern portion, bordering the Mississippi, includes a broad alluvial belt from thirty to one hundred miles in width; the lands being low, level, and subject to inundations in many places.

The principal rivers of the state are the Arkansas, Red river, Washita and St. Francis, the valleys of which, with the exception of lagoons, swamps and other depressions, are generally very fertile. The Arkansas is the largest river in the state, and next to the Missouri in importance as a tributary of the Mississippi; is navigable throughout the state, a distance of five hundred and ninety miles. Red river waters the extreme southwestern part of the state, which is a rich agricultural and grazing region. This productive valley is a part of the great cotton-growing country of the southwest, and is also well adapted to the culture of sugar cane.

The geology of the state was explored as late as 1858-60. The geological survey of the state, by Dr. David D. Owen, reveals a great variety of mineral deposits. In the district north of the Arkansas river, the three leading formations are the "mill-stone grit, with its associate shales and conglomerate; the sub-carboniferous limestone and its associate chert, shales and sandstones; and the magnesian limestones and their associate sandstones, calciferous sand rocks and chert, belonging to the lower silurian period." The mineral products are reported to be very considerable, "including zinc, manganese, iron, lead and copper; marble, whet and hone stones, rock-crystal, paints, nitrous earths, kaolin, granite, freestone, limestone, marls, greensand, marly limestone, grindstones and slate." The zinc ores are said to compare favorably with those of Silesia, while the argentiferous galena supplies a large average percentage of silver. There are abundant quantities of anthracite and lignite coal. Numerous mineral and thermal springs occur in various parts of the state, the most remarkable and most frequently visited groups lying to the south of the Ar-

kansas, in Hot Springs county, the heat of several of these attaining one hundred and forty-six degrees Fahrenheit.

The forest vegetation consists of yellow pine and white oak; the bald cypress, of immense size; the tupelo gum, most valuable for economic purposes; cabinet woods, such as maple, wild cherry and black walnut; and besides these, hickory, ash, beech, pecan, sycamore, cedar, elm, etc.

The soils of the state are fertile. Cotton is an important staple, and forms the basis of much of its agricultural wealth. Corn is a general article of production, and yields abundant returns. Wheat is cultivated in the various regions within its borders and produces well, especially on the alluvions. Oats, barley, the native grasses and root crops of the temperate zone, apples, peaches, pears, grapes, and some of the semi-tropical fruits, all grow, flourish and mature in Arkansas.

Little Rock, the capital of the state, and originally a French settlement, is situated on the right bank of Arkansas river, three hundred and eight miles from its confluence with the Mississippi, has an active trade, and in 1870 had a population of 12,380. In 1820 the seat of government was established here.

Arkansas was discovered by De Soto in 1541, colonized by the French in the seventeenth century, and a grant of land on the Arkansas made to John Law in 1720 by Louis XV. The territory was handed over to Spain in 1763, but returned to France in 1800. It was purchased by the United States in 1803 along with the rest of what was then called Louisiana; was organized as a territory March 2, 1819, and admitted to the Union June 15, 1836. James Miller was the first territorial governor, from 1819 to 1825, and James S. Conway was the first state governor, from 1836 to 1840. Arkansas, an Indian name, assigned in 1812, from its leading river. Popular name, "The Bear State."

KANSAS.

Kansas, a west-central state of the Union, has a length, from east to west, of 400 miles, with a uniform width of over 200 miles, embracing an area of 81,318 square miles, or 52,043,520 acres. Population in 1860, 107,206; 1870, 364,399.

The physical conformation of Kansas is quite uniform, consisting chiefly of level prairie, slightly rolling to the west, but nowhere characterized by either depressions or elevations. The region lying to the eastward of the state is fairly timbered, especially along the borders of the streams and rivers; the forest growths composed of oak, ash, cottonwood, sycamore, hickory, walnut, sugar-maple, etc. No swamps, or overflowed lands, or mountain elevations exist in this state.

Kansas may be properly termed as one of the great cereal states, its position in that grand territorial division being determined. Its soils vary considerably according to locality. In the extreme west part is a sterile district, running southwest from latitude forty-seven degrees north to New Mexico; but in the eastern portion the areas are remarkably fertile and suited to all the heavier cereals. The uplands or rolling prairies, which are supposed to include the second-class lands, are usually preferable for wheat and other small grains.

The climate of Kansas may be said to be undergoing climatic transformation, in consequence of the cultivation of the soil and the planting of orchards and forest trees, which presume a more equal distribution of moisture. The state is a portion of the "Great American Desert," which is being settled by an industrious population, who, by planting shrubbery, hedges, forest trees and orchards, are making it one of the most productive regions of our great west.

Its principal rivers are the Kansas, Arkansas, Neosha and Red Fork of the Arkansas; the Missouri defining the northeast border of the state.

Deposits of iron prevail in the western part of the state, and similar beds exist in its central portions, which, however, are comparatively valueless for manufactures, in consequence of the admixture of sand. In the eastern counties, coal of rich quality is being found, and lignite is being mined on the Smoky Hill Fork and its tributaries, and is used by the railroads for fuel. Kaolin is known to exist, and marble has been discovered in shafting for coal, at a depth of three hundred feet, in strata of twelve feet in thickness, and is pronounced less destructible than the Italian.

Kansas may be considered as being in a highly prosperous condition, and destined, as her resources are developed, to contribute material wealth to the nation in greater ratio than has heretofore been anticipated.

Topeka is the capital of the state, its site being on the south bank of the Kansas river. It was first settled about 1854, its name in the aboriginal translation meaning "Wild potato." The city is favorably situated, is steadily improving and clearly foreshadows a prosperous future. Its population in 1870 was 5,790.

Leavenworth, the largest city in the state, is eligibly situated on the west side of the Missouri river, and in 1870 had a population of 17,850. It enjoys an extensive river trade; has valuable railway connection with the different sections of the country; in many respects its position is decidedly advantageous. Old Fort Leavenworth was built by the United States authority in 1827.

Lawrence, with a population in 1870 of over 8,000, was settled in 1854 by emigrants from the Massachusetts Aid Society, and was named after Amos Lawrence. It has had a checkered history, and met with adverse currents, yet it has ridden down the storms and its prosperity is firm and secure.

Kansas was visited by the French in 1720. It constituted a portion of the Louisiana purchase obtained in 1803 from France, and was subsequently embraced in the Missouri, Arkansas and Indian territories, from which it was made a separate territory. It was admitted to the Union January 29, 1862. A. H. Reeder was the first territorial governor, and Charles Robinson the first state governor, in 1861. Kansas, an Indian name, implying the "Smoky Water." Popular name, "The Jayhawker State."

NEBRASKA.

Nebraska, extending west from the Missouri river to the twenty-fifth and twenty-seventh meridian of longitude west from Washington, and south from the forty-third to the fortieth degree of latitude, contains 75,905 square miles, or 48,636,800 acres. Population in 1860, 28,841; 1870, 122,993.

This region of country, formerly referred to in our maps as a part of the "Great American Desert," is almost entirely prairie,

with an undulating surface. Science suggests that the country was formerly a great inland sea. Near the base of the Rocky mountains is found a sandy belt of irregular contour, partially defining the outline of the former water surface. In the western part of the state are sand hills, or dunes, which have been raised by the prevailing winds piling up the dry, loose materials by which they are shaped into their present picturesque forms. These hills have their elongated slopes to the winds, the opposite sides being quite steep, presenting the appearance of high billows, all apparently drifting in the same direction. The Missouri, which forms the eastern limit of the state, flows through a vast bottom bounded by high bluffs of trap clay. The channel of the river, inclining to the western shore, leaves the great bulk of the bottoms on the eastern, or Iowa side. It seems to follow along the line of the state through a rupture in the underlying rocks, with a width of fissure not yet exactly known.

The best portion of the state is compassed in the valley of the Platte which extends from one to two hundred miles on each side of that broad and swift but shallow river. The Wood, the Loup Fork, with its numerous branches, and the Elkhorn, discharge their waters into the Platte.

Wood in Nebraska is not abundant, consisting of few varieties, the cotton wood being the most considerable. Oak, elm, hickory and hackberry—the last a hard wood, but little known in this part of the continent—are also found. The soil in the arable portion of the state is a rich loam, with an impregnation of lime, this soil varying from two to ten feet in depth, the deepest being of course on the bottom lands, which receive the debris from the bluffs. This loam is free from gravel, easily plowed, very pliable, resisting unusual wet or drought, and peculiarly adapted to the growth of corn and wheat. Few swamps exist in the state, and the sterile lands, with the exception of the sand hills, may be made productive with irrigation.

Coal has been discovered in some regions of the state, and different varieties and colors of building limestone; also a dark, yellowish-gray sandstone and a dark-red freestone. These are often soft when quarried, and easily dressed, but harden when exposed to air and sun.

The climate of the state is neither torrid nor frigid, but mild, healthy and exhilarating. Speaking of the status of education, a recent governor of the state said: "We already have more organized schools, more school-houses erected, and those of superior character, more money invested in buildings, books and apparatus, than were ever had before by any state of our age."

Nebraska, instead of being, as it was once described, a "shore at the termination of a vast ocean desert nearly one thousand miles in breadth, and interposing a final barrier to the establishment of large communities—agricultural, mercantile, or even pastoral," is a fertile and beautiful region, possessing the elements of a remarkable future development, and destined to be an agricultural and grazing state, millions of acres being available for such pursuits, and millions more for grazing cattle.

Lincoln, the capital of the state, is situated about eighty miles southwest of Omaha, with which it has railway communication. It was made the seat of government in 1867, its site being then a houseless, habitationless prairie; but five years thereafter its registered voters were twelve hundred and twenty-eight, and it was valued for taxation at nearly two millions of dollars. Its growth, though rapid, has been healthy.

Omaha, the seat of justice of Douglas county, is situated on the Missouri river, opposite to Council Bluffs. It is regularly laid out, and lies on an elevation or plateau between the bluffs and the river. It is one of the principal stations of the Union Pacific railroad, enjoys a fair river trade, and has fine facilities for water and rail communication. The town was founded in 1854; in 1860 it had less than 2,000 inhabitants, and in 1870 had a population of 16,083.

Nebraska, originally included in the Louisiana purchase, was organized as a territory May 30, 1854, and admitted to the Union March 1, 1867. William O. Butler was the first territorial governor, 1854, and David Butler the first state governor, from 1867 to 1871.

COLORADO.

Colorado, lying south of Wyoming, has been aptly called the

"Switzerland of America." It extends 260 miles north and south, and 375 miles east and west over the grand region of country called, from its central position and superior elevation, "the backbone of the continent." Its area is nearly 106,500 square miles, or 68,160,000 acres.

"This territory is traversed from north to south by the great continental chain of the Rocky mountains, and according to its orographical configuration may be divided into a mountain district, a hill district and a plain district. The principal range of these mountains bears the name of the Sawatch Range. It consists of a solid mass of granite, has an average elevation of thirteen thousand five hundred feet, presents a broad and massive outline, and has a mean breadth of from fifteen to twenty miles. It is really a prolongation of the Sierra Madre of Mexico, and up to about forty degrees north latitude it forms the dividing line between the Atlantic and Pacific versants."* The Elk mountains, which lead from the Sawatch range in a southwest direction, possess an interesting geology as presenting a remarkable displacement of strata and the resultant manifest chaotic state. The Front range, which abounds in consecutions of elevations, abut on the region of the plains and present a bold but broken outline.

Approaching the eastern foot-hills of the Sierra Madre are extensive outcropping of coal, the beds varying in thickness from thirty to fifty feet, this deposit being stated by geologists to underlie a large portion of the plains, sometimes extending to the eastern boundary of the territory, forming, with the coal beds of Wyoming, a vast coal field. Iron is pretty generally diffused, and copper and zinc prevail in many of the mines. The richest gold fields prevail in Colorado, and silver is found in all the mining districts associated with the gold-bearing strata.

The plains of Colorado embrace three-sevenths of the territory, or about 30,000,000 acres, of which at least one-sixth can be readily cultivated, while the rest is adapted to grazing. They rest upon calcareous rock and are principally of alluvial formation, having been washed from the vast granite mountains rising above their western limits, and contain elements of great fertility. Near the streams a large proportion of decomposed vegetable matter enters

*Encyclopedia Britannica.

into its composition, united with sand and ashes; on the plateaus there is less vegetable deposit, the soil being principally composed of sandy loam and friable clay. This section is exceedingly well adapted to agriculture. The vegetables of the state are very fine, and under the proper management attain a size and delicacy peculiarly their own. A most important resource of these plains is stock-raising, an industry which is proving to be a prolific source of wealth.

The parks of Colorado are a distinctive feature of the mountainous country, presenting the aspect of basins of former lakes upheaved and deprived of their waters by volcanic violence, with their original situation and contour at the foot of high mountains undisturbed, while their lowest depths are from six to nine thousand feet above the level of the sea. The four most extensive ones are known respectively as the North, the Middle, the South and the San Luis; the last by far being the finest of the four, with an area of nine thousand four hundred square miles, and described as an "immense elliptical bowl."

The climate resembles that of the eastern states on the same parallels of latitude, except that the air is much drier and more rarified, and the atmospheric transitions are more moderate and gradual. For pulmonary complaints it indisputably exerts a recuperative influence, and it is more than probable that it will become the great sanitarium for the variant divisions of the continent. The lamented Bayard Taylor, in speaking of it, wrote: "An air more delicious to breathe can not anywhere be found; it is neither too sedative nor too exciting, but has that pure, sweet, flexible quality which seems to support all one's happiest and healthiest moods."

Denver, the capital of this, the youngest of the states, has a position emphatically advantageous for easy trade and communication. It is located on an open plain, a short distance from the Rockies, with a commanding view of the whole range from Long's Peak on the north to the famous Pike's Peak on the south, while north, south and east charmingly expand immeasurable areas of plains, impressive, delight-inspiring and grand. The city bubbles, sparkles and exuberates with elastic and mounting life, its trade and

business, at present, vivified and stimulated by the wild rush to its El Dorados of silver and gold.

The first important settlements within the boundaries of this state were made in 1859, following the discovery of gold on Cherry creek, at the point where Denver now stands. The territorial organization was authorized by act of Congress, approved March 2, 1861, the portion lying east of the Rocky mountains having been taken principally from Kansas and Nebraska, that lying west from Utah, and one degree of latitude on the south from New Mexico. It was admitted into the Union as a state February 24, 1875.

NEVADA.

Nevada is situated south of the southern boundary of Idaho, and is third in size of the states comprising the American Union, extending from north to south 483 miles, and from east to west 323 miles, with an area of 112,090 square miles, or 71,737,600 acres. It was admitted to the Union March 21, 1864.

A peculiar feature of the state is the remarkable uniformity with which mountain and valley succeed each other in nearly parallel lines almost throughout its whole extent, the mountains being rocky and but sparsely covered with herbage or timber, and the valleys generally dry, sandy plains, interspersed with salt and alkali flats; also intersected with beautiful, broad, shallow streams, bordering on which are wide belts of alluvial formation, covered by luxuriant herbage, varied with flourishing timber, the soil possessing elements of considerable fertility. The timbers of the state consist of cottonwood, birch, dwarf-cedar, pine, spruce, fir, etc. Its principal rivers are Truckee, Humboldt, Walker, King's, Quin's, Colorado, Reese, etc.; its principal lakes are Pyramid, Walker, Carson, Humboldt, Winnemucca, Tahoe, etc.; the water surface of the state being estimated at only 441 square miles. Its springs are mineral, thermal, boiling, etc., some of them having intense temperatures, the constituents of their waters being geological curiosities. They present themselves at all elevations; are deep, shallow, cold, hot, tepid; some quiescent, others ebullitional; some pure, others impregnated; some insulated, others grouped; some placid

and gentle, others puffing and snorting steam through choked, hissing and gurgling throats. Some of the soils are rich, again there is no soil; here is buffalo grass, there is scoria, alkali and desert sweeps; there are tulle swamps, there are rock crowns turbaned with snows; here are boulders, there is gold; here are calcined stones, there is silver; here are gulches, canons, fissures, ravines—nature torn, ploughed, shattered, convulsed, carrying the deep print of her mighty volcanic sorrow; there are platinum, cinnabar, manganese, kaolin, zinc, tin, galena, antimony, nickel, cobalt, arsenic.

Her mineral wealth, while she possesses agricultural areas, nevertheless underlies, impels and employs her activities. Her silver mines, thus far in the history of her settlement, have been the mainspring of her life. At the time of the discovery of these mines, in 1859, eleven years after its acquisition by the United States under the treaty of Guadalupe Hidalgo, the most golden dream did not foreshadow their hidden treasures. The first discovery of the extraordinary silver deposits of this region occurred on the Comstock lode, from which vein bullion has been extracted amounting to several hundred million, the greatest yield per annum amounting to \$16,000,000.

The lode is situated on the side of Mt. Davidson, at Virginia City, in a heavy belt, consisting mainly of metamorphic rocks. It has a general north and south course and an easterly dip, having been traced on the surface for more than 27,000 feet.

Carson, the capital of the state, is in the Carson valley, and is connected by rail with Virginia City. The United States mint is located here, and near it is the state prison and the Carson warm springs. Its population in 1870 was 3,042.

Virginia City, the largest city in the state, clings like a huge bat to the sides of Mount Davidson, which has an altitude of eight thousand feet above the sea. It is a remarkable city and is remarkably built; dwellings on the mountain sides overlooking each other, steps and ladders often being required to gain access to them. Bonanza kings, beggars, millionaires, hoodlums, bankers, thieves, Englishmen, Indians, Portuguese, Jews, Jesuits, Celestials, Teutons, Celts, throng its streets and compose its motley population. "Here the world has seen, not one, but at least four, richer than Cræsus; with lamps, rings, slaves better than Aladdin's; four bonanza

kings, each with a mountain of treasure greater to carry than the horrible 'Old Man of the Sea,' but which no modern Sinbad would shake off with delight." Its population in 1870 was 7,008.

Gold Hill, Hamilton, Reno, Austin, Washoe, Elko, etc., are other towns and cities of Nevada.

Nevada was admitted to the Union March 21, 1864. James W. Nye was the first territorial governor, from 1861 to 1864, and H. G. Blaisdell the first state governor, from 1864 to 1871.

OREGON.

Oregon,* lying north of California, is 275 miles in extent, north and south, by 350 miles east and west, and includes an area of 95,274 square miles, or 60,975,360 acres. Population in 1850, 13,294; 1860, 52,465; 1870, 90,923.

So far as climate and agricultural capacities are concerned, the state is composed of two distinct parts or sections, viz.: the eastern and western, lying respectively on the east and west side of the Cascade mountains, which extend from the southern to the northern boundary.

The coast range of mountains, commencing at the Bay of San Francisco, extends northward through the states of California and Oregon. In this state they consist of a series of highlands running at right angles with the coast, with valleys and rivers between, the numerous spurs having the same general direction as the highlands.

The western portion of the state, being the part first settled, comprises about thirty-one thousand square miles, or twenty million of acres, being nearly one-third of the area of the whole state, and embraces the great preponderance of wealth and population. The

* As to the name "Oregon," it appears that it was used by Carver, in 1765, and applied to the Columbia river. He does not give his authority for the use of the name. Greenhow, in his History of Oregon and California, in referring to the name Oregon, says: "As to the name Oregon, or the authority for its use, the traveler [Carver] is silent; and nothing has been learned from any other source, though much labor has been expended in attempts to discover its meaning and derivation." The name Oregon was afterwards applied to the country drained by the river.

whole surface nearly of this vast region is adapted to agriculture and pasturage, and all the productions common to temperate latitudes may be cultivated with success.

The valleys of the Willamette, Umpqua and Rogue rivers are embraced within this portion of the state, and there is no region of country on the continent presenting a finer field for agriculture and stock raising, because of the mildness of the climate and depth and richness of the soil.

The timber of Oregon is most valuable for ship-building, on account of its immense size and superior quality. The fir tree of Oregon attains to a great growth, frequently towering to the height of two hundred and fifty to three hundred feet, with trunk diameters ranging from four to fifteen feet. There are also found other and prominent forest trees, such as the Oregon cedar, yellow pine, sugar pine and fragrant white cedar.

The mineral resources of the state, though not so thoroughly explored as those of the bordering states and territories, are both valuable and extensive, and will, no doubt, at some future time contribute largely to its sources of wealth. Numerous gold-bearing quartz lodes have been discovered in various parts of the state, and new developments are continually made. Vast deposits of iron ore prevail, and copper occurs in different localities.

Its climate is salubrious, springs and streams are plentiful, and the country is not visited by the chilling winds and arid seasons which prevail further south.

The Columbia, Willamette, Snake river and Clark Fork are the four chief navigable rivers. The Columbia, one of the largest and most important rivers on the continent, passes through the wildest and grandest scenery perhaps in the world. The fir-crowned mountains of the Cascade range on either side, with massive rocks thousands of feet high rising from its surface, with Mount Hood, St. Helen's and Rainer, from ten to thirteen thousand feet high, in the distance, piercing the clouds with their snow-capped peaks, form a scene of unsurpassed magnificence and grandeur.

Though by no means deficient in mineral wealth, Oregon is peculiarly a crop-growing state. Enjoying a healthy and invigorating climate, characterized by vast areas of rich, fertile lands, densely timbered throughout its mountain ranges, watered by

unfailing springs and streams, and subject to none of the drawbacks arising from the chilling winds and seasons of aridity which prevail further south, it is justly regarded as the most favorable region of the Pacific slope, as a home for an agricultural and manufacturing population.

Salem, the capital of the state is situated on the east bank of the Willamette, about forty miles south of Portland by the meandering of the river. It is located in the midst of beautiful scenery, is well built, contains some fine private and public buildings, a number of extensive manufactories, and is a growing city. Population in 1870, 2,842.

Portland, the leading commercial city of Oregon, is situated on the west bank, and at the head of ship navigation, of Willamette river, twelve miles from its mouth and one hundred miles from the ocean by the course of the Columbia. It is the largest city in the state, its population in 1870 being 8,293. Samuel Bowles said of it: "Ships and ocean steamers of the highest class come readily hither. From it spreads out a wide navigation of the Columbia and its branches, below and above. Here centers a large and increasing trade, not only for the Willamette valley, but for the mining regions of eastern Oregon and Idaho, Washington territory on the north, and parts even of British Columbia beyond."

The sovereignty over the territory of Oregon was long a matter of dispute and controversy between Great Britain and the United States. After 1818 it was held in joint occupancy, being, however, anomalously situated and not exactly under the jurisdiction of either. As early as the sixteenth century the Spaniards discovered the coast of this region, but Captain Gray, of Boston, discovering the Columbia river in 1792, furnished the United States a claim to sovereignty. The claim of the British was based upon occupation as well as discovery. In 1804-5-6 Lewis and Clarke explored the country from the mouth of the Missouri to the mouth of the Columbia, and spent the winter of 1805-6 on the Pacific. In 1808 the first trading house established on the waters of the Columbia was erected by the Missouri Fur Company. In 1811 the American Fur Company, at the head of which was the late John J. Astor, of New York, was founded, and during the following year Fort Astoria was built at the mouth of the Columbia.

This fort was once captured by the English, but was soon delivered to its original owners. Disputes regarding the sovereignty of the country were renewed in 1845, and in 1846 a treaty between England and the United States adjusted the line of division between the territories of the two nations. It was organized as a territory August 14, 1848. A state constitution was adopted November 5, 1857, and February 14, 1859, the state was admitted to the Union by act of Congress under the constitution previously ratified. James Shields was the first territorial governor, 1848, and John Whittaker the first state governor, from 1859 to 1862. Oregon, the original name of the Columbia river, was named after it, and means "River of the West."

CALIFORNIA.

California* embraces the nine degrees of latitude which, on the Atlantic coast, would extend from Plymouth, Massachusetts, to Charleston, South Carolina. It possesses an extreme length of 700 miles, with an average width of over 200 miles, including an area of 188,981 square miles, or 120,947,840 acres. Population in 1850, 92,597; 1860, 379,994; 1870, 560,247.

The surface of California is extremely diversified and irregular, a considerable portion of it being traversed with hills and mountains. "These mountains, which comprise the predominating geographical and topographical features, for the convenience of

*I could wish to gratify the reader with the etymology and true origin of a name which, from the oddness of its sound, the real misfortunes which the first discoverers met with in that country, and the great riches it is supposed to contain, has greatly excited the curiosity of the inhabitants both of New Spain and Europe. But in none of the various dialects of the natives could the missionaries find the least trace of such a name being given either to the country, or even to any harbor, bay or small portion of it. Nor can I subscribe to the etymology of some writers who suppose this name to have been given to it by the Spaniards, on their feeling an unusual heat at their first landing here, and thence called the country California. a compound of the two Latin words, *calida fornax*, a hot furnace. * * * I am, therefore, inclined to think that this name owed its origin to some accident; possibly to some words spoken by the Indians and misunderstood by the Spaniards." ["A Natural and Civil History of California;," translated from the original Spanish of Miguel Venegas, a Mexican Jesuit, published at Madrid, 1758. Translation printed at London, 1795. 2 vols.]

description may be classed under two grand divisions: the Sierra Nevada ranges, which traverse the state along its eastern border, and the Coast range, which, as its name implies, extends along its western border near the sea coast. These divisions, uniting on the south, near Fort Tejon, latitude thirty-five degrees, and on the north, near Shasta City, latitude forty degrees thirty-five minutes, enclose the valleys of the Sacramento and San Joaquin, which are nearly three hundred and fifty miles in length and from forty to eighty miles wide at the points of their greatest divergence. Each of these divisions embraces many separate groups of mountain chains of vast extent, differing in geological relations and mineral composition, presenting in many places scenes of rare beauty or rugged wildness not surpassed by any mountains in the world; for here the mighty forces of the volcano and earthquake, of the crushing, slow-moving, ponderous glacier and the swift-destroying flood have each left evidence of their power.”*

The highest peak of the Sierra Nevada is Mount Whitney, fifteen thousand feet; that of the Coast range, Mount San Bernardino, eight thousand five hundred feet. In the northern region of the state there is a union of these ranges, at the head of the Sacramento valley, which is here literally shut up by Mount Shasta, which towers to the altitude of 14,440 feet.

The principal valleys of the state are the Sacramento, San Joaquin, Santa Clara, San Gabriel, Los Angeles, Salinas, Amador, Sonoma, Napa, Pajaro, Petaluma, Russian river, Clear Lake, San Ramon, Humboldt Bay, etc.

Its principal harbors are the San Francisco, San Diego and Santa Cruz. Its chief bays, San Luis Obispo, Monterey, Half Moon, Drake's, Tomales, Bodega, Humboldt, Trinidad, Santa Barbara Channel, etc.

The principal coast islands are the Farrallones, seven in number, about twenty miles west from the Golden Gate; in a southern direction, and west of Santa Barbara, are other groups.

The principal rivers of the state are the Sacramento, San Joaquin, Feather, American, Suisun, Napa, Sonoma, Petaluma, Salinas,

* The Natural Wealth of California, by T. F. Cronise.

Russian, Mad, Merced, Eel, Smith and Klamath; the Salinas, in Monterey county, being the only one in the entire coast range connecting with the Pacific that is navigable. The finest salmon, trout, and other fish are found in these streams.

Its principal cataract is the Yosemite Fall, in the valley of the same name, where the waters of the Merced have a sheer descent of two thousand five hundred and fifty feet, the Pohono, or "Bridal Veil," falling one thousand feet. The principal curiosity of the state consists of the Geysers, a series of hot springs of varied composition, and a most singular exhibition of subterranean chemistry. They are situated in Pluton canon, Sonoma county, in which there are over three hundred springs and jets of steam.

Its principal cities are San Francisco, Sacramento, Oakland, Stockton, San Jose, Los Angeles, Marysville, San Diego, Placerville and Benicia, the former state capital, etc.

The climate of California, though exceedingly varied, is not subject to the quick transitions of temperature incident to the Atlantic states. Snow is seldom seen along the coast and in the great valleys of the state, while the heat of summer is tempered by cool winds which blow almost incessantly from May to September. The maturity of fruits in this climate is almost phenomenal, attaining the most remarkable perfection. The northern and central counties produce all the grains and fruits of the temperate zone, while in the south latitudes the temperature is semi-tropical. With the vegetation of the north, side by side, may be seen flourishing the lemon, orange, olive, pomegranate, citron, almond, prune, pine-apple, cocoa-nut and banana. The culture of the vine is a growing and profitable industry, its rich clusters "drinking the splendor of the sun" and supplying juices sweet as those of the Garonne or Rhine. Wheat, barley and oats find a generous and responsive soil and climate, large quantities being raised for exportation. Hop industries have been introduced, with general success, both on the uplands and bottoms, and the raising of the silk-worm and the manufacture of silk promise remunerative results, the state having lent encouragement to the planting and culture of the *moses multicolis* and the raising of cocoons.

The state is abundantly supplied with timber of the finest quality. Immense forests of pine, fir and cedar spread over the moun-

tains of the coast, and great varieties of deciduous trees grow upon the margins of the streams. Groves of the magnificent *sequoia gigantea* are found in Tuolumne, Calaveras, Tulare and Mariposa counties, transcending in magnitude the mightiest denizens of the forests of the world.

The arable lands of the state are estimated at over 40,000,000 acres, or one-third of its area; those adapted to pasturage being nearly as much more, while vast additional surfaces are made fertile by irrigation, or protection against submergence, according to circumstances and localities.

While its geological structure may be said to be comparatively simple, yet invested with wonderful interest, as it is, in the sense of its manifest geological disturbances, its metalliferous wealth is the pre-eminently distinguishing feature of California. From 1848, when the discovery of the precious metal was made, by the finding of gold by a Mr. Marshall, one of the Sutter Company,* in a mill excavation on the South Fork of the American river, at a point now known as Coloma, hundreds of thousands of people have flocked thither impelled by the "dread omnipotence of gold," a majority to be ruined, and others to achieve fabled fortunes, while more than a billion of dollars of the precious metal has been extracted. It is estimated that in the year 1849 one hundred thousand men rushed to the gold fields of the state.

*General John A. Sutter was of Swiss parentage, but a native of Germany. He was a captain in the grand army of France, and mingled with the elite of French society during the reign of Charles X. He arrived at New York in 1834, went west, and soon found himself in New Mexico, where he heard of the wonders of California; proceeded to the Rocky mountains, joined a company of trappers bent for the shores of the Pacific, crossed the continent and landed at Fort Van Couver; found no land passage to California, went to the Sandwich Islands hoping to get passage from there; took a vessel that was bound for Sitka, but which, by accident, drew into San Francisco harbor in distress. He finally reached the site of Sacramento, built Sutter Fort, called it New Helvetia, in memory of the Swiss home of his ancestors; began the cultivation of his lands, extending for miles, rearing of herds, "until—to him fatal day—one of his workmen found a few grains of gold in the soil, when, as if by magic, the whole scene changed, and from a veritable Utopia, the beautiful valley of the Sacramento became a pandemonium." His discovery enriched the world but ruined him, and in his old age he had no means of support save a donation from the state. He landed at Yerba Buena (San Francisco) July 2, 1839, his party consisting of ten Americans and Europeans and eight Sandwich Islanders.

But the metalliferous deposits of California are by no means confined to gold, for argentiferous or silver lodes and copper prevail abundantly in many localities. Cinnabar, tin, zinc, lead and iron ores are found, and marble, granite and freestone are plentifully distributed. Concerning the coal of California, Whitney says: "Coal of the true carboniferous period does not occur anywhere on the North American continent west of the eastern base of the Cordilleras; but there are, at various points, extensive deposits of lignite and imperfect coal; in some of these the woody structure is entirely obliterated, and the substance may, with propriety, be called coal."

The *Fauna* and *Flora* of the state are alike immeasurably interesting to the botanist and naturalist.

Sacramento, the political capital of the state, and a city of beautiful homes, is situated at the head of ship navigation on the river of its name, one hundred and twenty miles from San Francisco. It is a depot of supplies for mining. A number of railroads center here, and it is in daily steam communication with San Francisco and the upper Sacramento country. Its new state-house is one of the most splendid structures on the coast. It is celebrated for its agricultural pavilion, its annual fairs, its grand race-course, and the metal and blood of its posting steeds. Sacramento is the product of the wild buzz of '49, and in 1870 had a population of 16,484.

San Francisco, the commercial metropolis of the state, is situated on the western side of the beautiful bay bearing its name. A splendid city of 200,000 people, with magical and fabulous rapidity, has sprung into existence on the very site where, thirty years ago, prevailed a desert of sand and clay-hills, intersected and bisected by ravines. The bay and coast upon which she sits—a very sea-queen waving golden banners—are thronged by vessels from all the lands, while lines of steamers fly from her ports to the islands of the Pacific ocean and the great maritime cities of China and Japan. Long streets of warehouses, stores and elegant residences, large hotels, numerous churches, and school-houses and public buildings now cover the ground which was so recently a barren waste. The trade with the northern and southern coasts centers here; the great valleys of California pour in their produce of

mining and agriculture, and Nevada adds her streams of silver and gold. With these immense commercial facilities, the future of San Francisco is an assuring one of an unlimited and expansive prosperity.

Montgomery street, the Broadway of the city, is a splendid thoroughfare, and presents an attractive scene of enterprise and activity. The city abounds in handsome and costly churches, and elegant and massive public edifices, worthy of its golden fame. Its cemeteries—those of Lone Mountain and Calvary—are noteworthy; that of the former being particularly beautiful; while the old mission, in proximity to the city, built in 1776, an old adobe structure, in Spanish style, is full of mouldy memories. A mission and presidio (place of defense) were established here by the Spaniards in the foregoing year, who, it is claimed, first occupied the site of San Francisco, naming it “Yerba Buena.” It was chartered as a city in 1850, and in 1870 had a population of 149,473.

Oakland, across the bay from San Francisco, with which it has communication by ferries, though a city of over twenty thousand, is thoroughly rural. Here the state university is located. It is a beautiful retreat, the houses usually being detached and standing amid gardens and grass-plats, while on either hand geraniums, roses, fuchsias, callas, verbenas and tropical plants and flowers flourish out doors without danger of winter exposure.

“As at first used, the name of California was applied to the coast and the territory at a little distance from it, north of Mexico; gradually it was extended over what we now call the ‘Great Basin,’ and with no well defined limits to the north. At the present time the name California means only the state of California, one of the United States of America, and the peninsula is called Lower California. To the Spanish Americans these natural divisions of the country were and still are known as Upper and Lower California (Alta and Baja California), and the two were called ‘Las Californias’—the Californias.”*

The coast of Lower California was discovered in 1534, by Bezerra de Mendoza and Hernando de Grijalva. Alarcon, commanding an exploring fleet, reconnoitered the mouth of the Colo-

*J. D. Whitney, in *Encyclopædia Britannica*.

rado river, and in 1542 the coast of California proper was visited by Cabrillo, who went as far north as latitude forty-four degrees. Sir Francis Drake, 1578, explored the shores of the Pacific, but whether he discovered the bay and harbor is a matter of conjecture. Lower California was entered by Jesuit missionaries as early as 1697, where, for seventy years, they remained, when, by an order of Charles III. of Spain, they were banished from the country, and all their property transferred to the Franciscan monks.

"Later," says Whitney, "the Dominicans obtained exclusive possession of the Peninsula, and the Franciscans, not unwillingly, withdrew to Upper California, where they established themselves, built numerous missions and thrived remarkably, until Mexico became independent of Spain, in 1822. This event was a death-blow to the establishments of the Franciscans, which, from that time forward, lost ground from year to year, and finally were broken up altogether in 1840."

The policy of the Catholic priests, prior to this, had been to discourage emigration and consolidate the prosperity and power of their flourishing missions. For many years, however, the relations between Spain and Mexico were of a very loose character, and an English and American element insinuated itself into California, as early as 1810, which grew in numbers until 1830. The capture of Monterey by Commodore Sloat, of the United States navy, July 7, 1846, was most opportune, for within twenty-four hours thereafter the English admiral, Sir George Seymour, arrived to take possession of the country in the name of the British government. France was also contemplating it with a jealous eye.

California then being a Mexican province, as a result of the overthrow of the Spanish authority in 1822, Mexico resisted the encroachments upon her domain. Collisions broke out between the American settlers and the Mexican authorities, in 1846, but under the leadership of General Fremont the Americans soon became masters of the situation, and asserted freedom from Mexican domination. The end was the cession of the territory of California to the American government for fifteen million dollars. A convention, which met at Monterey in September, 1849, by order of General Riley, the military governor of the territory, adopted

a constitution, which was popularly ratified, and California was admitted to the Union as a state, September 9, 1850.

Gaspar de Portala was the first governor of California under Spanish rule, from 1767 to 1771; Pablo Vicente de Sola the first governor under Mexican rule, from 1822 to 1823; and Peter H. Burnett first governor under the jurisdiction of the United States, from 1849 to 1851.

PART XV.

THE TERRITORIES.

Utah.—This territory is situated south of Idaho and Wyoming, north of Arizona, east of Nevada and west of Colorado, and includes an area of 84,476 square miles, or 54,065,075 acres. It is divided by the Wahsatch range of mountains, extending across its limits from northeast to southwest, into two unequal parts, belonging to different water-sheds or systems.

In common with the water system of Nevada, the section west of the Wahsatch range contains no outlet to the ocean for its numerous streams or lakes of salt and fresh water. Its most important mineral deposits consist of gold, silver, iron, copper, zinc, lead, coal, salt, sulphur, saleratus, alum and borax. Iron is found in deposits of red hematite ore, and is abundant. Beds of coal prevail in different localities, and rock-salt is abundant.

Its timber lands are comprised in about two million acres of pine and fir, on the slopes of the mountains, and in the bottoms birch, spruce, cottonwood, ash, box-elder, etc. Its most important industries are agriculture and horticulture, accompanied with irrigation, the facilities for which have been greatly perfected. Wheat, barley, oats, rye, buckwheat, flax, hemp, potatoes, peaches, garden vegetables, etc., flourish in luxuriant profusion.

Utah has a beautiful river system, and abounds in a variety of lakes, prominent among which is the great Salt lake, situated in the northwestern part of the territory, extending nearly one hundred miles, from northwest to southeast, with a width of fifty miles, its waters constituting the strongest natural solution of mineral substances in the world, containing twenty-five per cent. of common salt, which forms a brine so dense and mordant that no fish can exist therein, while living bodies float upon its surface like corks.

Salt Lake City, fifteen miles south of the great Salt lake, is the capital, and has an altitude of nearly four thousand four hundred feet above sea level. It is the nucleus of the church of the Mormons, or "Latter Day Saints," and contains the odd but spacious edifice known as the "tabernacle," which resembles an inverted platter, and has seating capacity for ten thousand people. It is the vast gendering, incubating nest of polygamy, the harem of Brigham, the dead "prophet, priest and king." The history of the territory is identified with the advent of the prophet in the great valley in 1847.

Utah primarily composed a part of California, and was included in the Mexican cession of 1848. It was organized under act of congress, approved September 9, 1850, its limits, as defined in the act of organization, having been since reduced by the act of March 2, 1861, creating the territory of Nevada; the acts of July 14, 1862, and May 5, 1866, increasing the area of Nevada, and the act of July 25, 1868, organizing Wyoming territory. In 1870 it had a population of 86,786.

Arizona.—This territory, set apart from New Mexico by act of Congress of February 24, 1863, has for its northern boundary the state of Nevada and the territory of Utah; on the east it is bounded by New Mexico; on the south by the Mexican state of Sonora, and on the west by the states of California and Nevada.

Within these limits is embraced an area of 113,916 square miles, or 72,906,240 acres. Its principal mountain ranges are the Pinaleno and Santa Anna Catarina in the southeastern part, the Sierra del Carizzo and San Francisco in the northern part, the Mogollon mountains in the eastern, and the Castle Dome mountains in the extreme southwestern corner of the territory, between the Colorado and Gila rivers.

The principal rivers are the Colorado, Gila, Rio Santa Cruz, Bill William's Fork, Little Colorado, Rio Puerco and Rio Verde. The climate is delightful throughout the year with the exception of the country in the vicinity of the Lower Colorado. Arizona abounds in mineral wealth, such as gold, quick-silver, platinum, silver, copper, iron, lead, tin, nickel, cinnabar. Its valleys are fer-

tile. Among its forest growths are found oak, pine, ash and cottonwood.

Prescott, the present capital, is the center of an important mining region. It was organized as a territory February 24, 1863.

Alaska.—The United States territory on the north Pacific, or the Russian purchase known as Alaska, has an area of 577,399 square miles. It was purchased from the Czar of Russia, in 1867, for \$7,200,000, and the laws of the United States obtained jurisdiction of it by act of Congress approved July 27, 1868.

It is distinguished for its fisheries, which are said to be the finest in the world, and, under the Russian occupation, this and the fur monopolies virtually controlled the country. In the production of valuable furs it is presumed that this region is not excelled, their collection and exportation having been a source of wealth and an attractive industry. It is in this manner, by hunting, trapping and fishing, that the inhabitants, especially those of the interior, manage to live.

It is said to have deposits of gold and beds of anthracite and bituminous coal on some of its islands, and near the sea-coast on the mainland. Fossil ivory has also been found. Its forests consist of cedar, hemlock, pine, fir, spruce, etc. The natives of this territory are divided into twenty-four tribal organizations, with distinctive modes of life and forms of government, inducing the presumption of separate nationalities. Some of these tribes are peaceful, others warlike. The population was estimated in 1870 at 75,000, of which 50,000 or 60,000 were supposed to belong to the various indigenous races. The size of this vast territorial acquisition may be relatively imagined when it is understood to possess an area more than fourteen times as large as Ohio.

Sitka is the capital, situated on the Island of Sitka, and on which a majority of the Russians proper reside.

Dakota.—On the north of this territory are the British possessions, on the east Minnesota and Iowa, on the south Nebraska, and on the west Montana and Wyoming. It possesses an area of 150,932 square miles, or 96,595,840 acres.

The territory of Dakota presents great diversity of physical

configuration, the country rising gently to the westward and culminating in the Black hills in its western part. In the southeastern portion is a range of highlands extending along the eastern margin of the territory, while corresponding, though smaller tables occupy the northern and middle parts.

Its chief rivers are the Missouri, traversing it from northwest to southeast, with its many tributaries; the Big Sioux, Vermillion, Dakota, White Earth, Big Cheyenne and Little Missouri. The Red river flows along one-half of the eastern boundary of the territory, and empties into Lake Winnipeg, in British America.

The climate in the southern section is comparatively mild, but in the northern the winters are protracted and hard. The climate and soil conduce to the growth of wheat, corn and other cereals, as well as vegetables and fruits.

Gold, silver, copper and coal have been discovered in the Black hills and Big Sioux country, and salt-beds and fine building stone prevail.

The territory was organized March 2, 1861, and in 1870 had a population of 14,181; Yankton, on the Missouri, being the capital.

Idaho.—Lying east of Oregon and Washington territory, is the territory of Idaho. It extends from the international boundary between the United States and British America, southward four hundred and ten miles, to Nevada and Utah, with a width of forty miles on its northern boundary, gradually expanding in the southern extension of the territory to over two hundred and fifty miles, its eastern boundary being the diagonal range of the Bitter Root and Rocky mountains, extending from northeast to southwest, separating it from Montana and Wyoming. In its superficies are included 86,294 square miles, or 55,228,160 acres. It was originally included in the territory of Oregon, as organized by act of August 14, 1848. The section lying north of the forty-sixth parallel was afterward made part of Washington territory, as organized by act of March 2, 1853, and subsequently the portion south of that parallel was added to the latter territory by act of February 14, 1859, admitting Oregon into the American Union. The territory of Idaho, as originally organized under the act of March 3, 1863, included, besides its present area, the region of country now

constituting the territories of Montana and Wyoming; it having been reduced by act of May 26, 1864, organizing Montana, and attaching the remainder of the country east of the Rocky mountains and of the thirty-third degree of longitude to Dakota, and still further by act of July 28, 1868, organizing Wyoming. It lies in the basin of the Columbia river.

Its largest and best situated valleys are those of the Clearwater, Solomon, Fayette, Wood, Weiser, St. Joseph and Cœur d' Alene, which are well watered, fertile, and, with irrigation, produce wheat, oats, rye, barley, fruits and vegetables. Its climate varies according to the latitudes through which its limits extend.

The first discovery of gold was made in 1852. Silver, iron ore, coal, and vast beds of salt almost chemically pure, prevail. Its mountains reach lofty altitudes, towering above the snow-line, and on its plateaus grow indigenous grasses in abundance. Snake river, or Lewis's Fork of the Columbia, is its principal river, and has many affluents.

It was organized as a territory May 26, 1864, and in 1870 had a population of 15,000. Boise City, on the Boise river, is the capital.

Indian Territory.—The extensive reservation known by the foregoing name, set apart by Congress for the permanent residence of Indian tribes transported from the settled states, lies south of Kansas, east of Texas and New Mexico, north of Texas and west of Missouri and Arkansas. It includes 68,991 square miles, or 44,154,240 acres.

The transported tribes consist chiefly of Choctaws, Cherokees, Creeks, Seminoles and Chickasaws, and were removed hither from the southern states, viz.: Florida, Mississippi, Alabama, Georgia, Tennessee and North Carolina.

They are permitted to live under laws, enactments and regulations of their own, and some of the tribes have accumulated great wealth, made commendable progress in civilization and education, and in numerous instances have been found supplying students for our eastern colleges and universities. These have written constitutions and laws, legislative, executive and judicial officers; schools,

churches, and other appliances of progressive societies. To each tribe is assigned its own particular boundary.

A portion of the territory is, however, subject to the control and disposition of the government of the United States for the benefit and location of other tribes. Some of the finest agricultural areas of the continent are here embraced.

In 1870 a council of the tribes framed a constitution similar to that of the United States, but limiting its privileges only to themselves. The judicatory arm of the government extends to the territory, but with explicitly prescribed powers. Nevertheless, *imperium in imperio* is here pretty clearly illustrated.

The territory, though productive in districts, is mountainous in some parts, and in others desert-like and barren. It is drained by the Red and Arkansas rivers.

New Mexico.—A former territorial appendage of the Republic of Mexico. It was ceded by the terms of the treaty of Guadalupe Hidalgo to the United States. It lies south of the state of Colorado, west of the state of Texas, north of Mexico and Texas, and east of Arizona. It embraces an area of 121,201 square miles, or 77,568,640 acres.

This territory is traversed by many mountain chains, between which are found many beautiful and fertile valleys. Forests of pine, cedar, spruce, and other kindred trees grow upon these ranges, while at their bases are found tracts of cedar and pinon, the margins of the streams growing sycamore and cottonwood. In the remote south groves of oak and walnut prevail.

Veins of the precious metals, rich deposits of copper, iron and coal have been discovered in various localities of the territory. In the valleys wheat, Indian corn, barley, oats, apples, peaches, apricots, and grapes are produced in great perfection. The table-lands, hillslopes and valleys are abundantly supplied with nutritious grasses. They are specially suited to grazing, and it is asserted that the horses of New Mexico are noted for their powers of endurance, and that the beef and mutton are celebrated for their quality. The sky is usually clear, the atmosphere dry, the climate salubrious, but marked by considerable variability. Its principal river is the Rio Grande del Norte, which traverses an extensive valley, and is

a desirable and inhabitable portion of the territory. Many of its areas are sterile and profitless. The cougar, wild hog, ocelot, lynx, wolf, coyote, brown, black and grizzly bear are here found, as well as the lizard and scorpion.

Santa Fe is the capital, on the river of its name, about twenty miles from the junction with the Rio Grande. New Mexico was organized as a territory September 9, 1850, and in 1870 had a population of 91,874.

Montana.—This territory consists of a series of basins, five in number, four of which lie on the east side of the Rocky mountains, and one on the west. It embraces an area of 143,776 square miles, or 92,016,640 acres.

Veins of gold, copper, lead and iron are found distributed throughout the mountainous parts. Silver and copper ores occur, and clays and sandstones are also met, superimposed and underlying coal beds in those localities where the coal peculiarities of the surface have proven favorable to sedimentary and drift formations.

The surface features of the territory are of a mountainous order, the Rocky range traversing its entire area. The principal rivers are the Missouri, the Yellowstone and Clark's Fork of the Columbia river. It possesses many fertile areas, is a fine stock country, in which all the cereals flourish. Native fruits prevail in great profusion, and root crops, such as potatoes, ruta-bagas, turnips, carrots, etc., have a rich growth. Timber is plentiful, consisting of poplar, cedar, balsam, and different varieties of pine and fir. Hot, mineral and pure water springs, and lakes, and cascades and water-falls are of common occurrence. The bison, grizzly, antelope, Rocky mountain sheep, wander over its vast domain.

The territory was organized May 26, 1864, out of the eastern part of Idaho. Virginia City is its capital. Population in 1870, 20,595.

Washington.—This, the most distant northwestern territory of the United States, before the addition of "the ice and blue sky, known as Alaska," has the British possessions on the north, the Columbia river and Oregon on the south, the territory of Idaho

on the east, with the Pacific ocean on the west, and embraces an area of 69,994 square miles, or 44,796,160 acres.

A preponderance of the surface of this territory is rugged and mountainous. Its principal river is the Columbia, which traverses the entire breadth of the territory from north to south, and then shaping a large part of its southern border, forms a main artery for travel and transportation of grain and produce from the great interior to the ocean. Its forests include the red and yellow pine, of Titanic dimensions, often attaining a height of three hundred feet, and from nine to twelve feet in diameter.

The soil in the river bottoms is well timbered with maple, ash, balm and willow, yet yields fine crops; the highlands are usually rolling and suited to cultivation. The climate does not materially differ from that of Oregon, and in its eastern portion assimilates that of Pennsylvania.

Gold has been found, and coal of excellent quality prevails in the territory. Its rivers are renowned for their grand fisheries, notably so the Columbia, for its wealth of salmon, though mackerel, cod, herring, halibut, flounder, etc., pervade the principal streams. The elk, bear, deer, otter, etc., are found here.

It was organized as a territory November 2, 1853, and in 1870 had an estimated population of 23,955. Olympia is the capital.

Wyoming.—This territory has Dakota and Nebraska on the east, Colorado and Utah on the south, Montana on the north, and Utah and Idaho on the west. It contains an area of 97,883 square miles, or 62,645,120 acres.

Wyoming is penetrated by the Rocky mountains, which project from northwest to southeast athwart its western portion, though other sections of the territory are cumbered by minor ranges. The southeastern part is watered by the North Fork of the Platte and its tributaries; the northeastern by the North and South Forks of the Big Cheyenne, that flows to the Missouri. The northwest is watered by the Big Horn and Yellowstone rivers, and the southwest is drained by the Green river and its affluents.

Gold, silver, mines of copper, lead and gypsum prevail in the territory. The Laramie plains are an extensive high plateau in the southern part of the territory west of the Black hills, extend-

ing westward to the Wahsatch mountains. These vast plains embrace an area of thirty thousand square miles, underlaid with lignite or brown coal of the tertiary age, the deposits averaging from a few inches to fifteen feet in thickness. The most eastern limit of this coal basin west of the Laramie range is ten miles west of Rock creek, a branch of Medicine Bow river, and outcroppings occur as far west as Salt lake, showing a connected series of deposits to cover the entire area. And in proximity to these coal beds are large deposits of nodular iron ore, while in the mountains environing the Laramie plains deposits of iron ore of great thickness prevail. The entire territory is characterized by mineral springs—saline, chalybeate, sulphurous and alkaline being the most prevalent—many of them possessing sanitary properties.

The forest vegetation is composed chiefly of pine, spruce and hemlock. The valley districts and the regions skirting the mountains are quite available for cultivation. The Laramie plains, although largely elevated, are productive of an abundance of small grains and vegetation.

Cheyenne, the capital of Wyoming and county-seat of Laramie county, once known as "Hell on Wheels," has the modern and more euphonious appellation of the "Magic City of the Plains." It has "lived to out-live" its fungoid and turgescient growth; has elegant and substantial business houses, churches, school-houses, and a solid, earnest life.

Wyoming was constituted from sections of Idaho, Dakota and Utah, and its territorial organization was consummated July 25, 1866. Its population in 1870 was 20,595.

PART XVI.

TERRITORIAL EXPANSION.

The American Revolution.—The thoughtful student of American history can contemplate with supreme and majestic pride the marvelously rapid growth, development and territorial expansion of the great republic. From an area bearing only an approximate relation to its present geographical magnitude, it has widened into its vast ocean-bound dimensions. At the termination of the crucial struggle for national independence, the boundaries of the Republic were limited, on the east by the shores of the Atlantic, on the north by the Lakes, on the west by the Mississippi, and on the south by the great Gulf. Florida, which, however, was not ceded to the United States until 1819, it then being a province of Spain, as well as that portion of Louisiana to the eastward of the river Mississippi, it will be remembered, must not be embodied in this general description, although valuable acquisitions of territory have been made to that domain.

Vermont.—This state was the first admitted, under the constitution, and was claimed by New Hampshire, and counter-claimed by New York. The jurisdiction over her was finally delegated to New York by the crown, which led to violence between the settlers and the authorities, but which was finally adjusted, in 1791, when she joined the national confederation, and added another state to the original thirteen—the first accession.

The Territory Northwest of the River Ohio.—In 1784 Virginia ceded her claim to the territory situated northwest of the river Ohio to the United States. Title having been secured, the pru-

dent consideration of Congress was directed toward preliminary measures, pointing to the permanent organization of civil government in the same, it now being within the legitimate province of legislation. July 13, 1787, that august body, after considerate investigation, deliberate thought and cautious inquiry into the subject, combined with tedious, dispassionate and exhaustive analysis of the vital issues involved, proclaimed the outgrowth of their matured action to the civilized world, in what they saw proper to denominate "An ordinance for the government of the territory of the United States northwest of the river Ohio," known as "the ordinance of '87." By the provisions of this instrument, there were to be formed not less than three nor more than five states, from this territory; the result showing the erection of five states: Ohio, Indiana, Illinois, Michigan, Wisconsin.

The Southwest Territory.—The areas south of the river of Ohio, included under the caption of the southwest territory, were never embraced under any distinct territorial government. From this section of the public domain the four states of Kentucky, Tennessee, Mississippi and Alabama were established. The *State of Maine*, whose history, until 1820, is merged in that of Massachusetts, became a member of the Union on the 15th of March of this year.

The Louisiana Purchase.—Under the administration of President Jefferson, April 30, 1803, the immense province of Louisiana was purchased from France by the United States for a sum amounting to about fifteen million of dollars.* Independently of the state of Louisiana, there have been carved from this immense area the states of Arkansas, Missouri, Iowa, Minnesota, Kansas and Nebraska; and the following territories: the Indian, Colorado, Wyoming, Dakota, and Montana.

Florida.—Florida, the scene of the adventures of Narvaez and the ambition of Ponce de Leon and De Soto, the victim of bloody wars, conquests and proprietorships, was ceded to the United States in 1819, two years thereafter the treaty being ratified by the king of Spain.

*Vide page 553.

Oregon.—The coast region of Oregon was discovered in the sixteenth century by the Spaniards, but the claim to the sovereignty of the country by the United States government is based upon discoveries made by Captain Gray in 1792. This vast region, extending from latitude forty-two to fifty-four degrees, after submitting to conflicting claims from England, Spain and the United States, finally succumbed to the latter, and became a portion of the territory of the nation in 1848. The territories of Idaho and Washington were constructed from this region.

Texas.—Texas, weary of Mexican domination, routed Santa Anna, her president leader, at San Jacinto, April 21, 1836, and, after a declaration of independence in this year, was annexed to the United States in 1845.

California.—The occupation and conquest of California, a simultaneous occurrence of the war with Mexico, resulted in a great enlargement of the national domain, securing territory from which has been created not simply the states of California and Nevada, but the expansive territories of Utah, Arizona and New Mexico.

Alaska.—This, the last territorial acquisition to the country possesses enormous proportions, being larger than twelve states of the size of New York, and ten times larger than the entire New England states combined.

From the thirteen original states we have advanced to thirty-eight, with ten territorial appendages yet to be ranged under the banner of the Union, embracing an area of 1,535,814 square miles, or a sufficient territory out of which to construct forty-five states as large as Indiana.

CIVIL PROGRESS OF THE NATION.

The Public Domain.—The public domain has reached, in its enlargement, an area equal to 2,867,185 square miles, or 1,834,998,400 acres. From this landed interest Congress has made princely endowments for educational purposes; common schools; agricultural and mechanical colleges and universities; for military bounties in the war of the revolution, in the war of 1812 with

England, of 1847 with Mexico, and Indian wars; in furtherance of internal improvements on a large scale, general and special; in aid of the reclamation of swamps and overflowed lands; for the construction of canals; for wagon roads; for seats of government and public buildings; for deaf and dumb asylums; for individual Indian reservations; for the confirmation of millions of acres in satisfaction of foreign titles; for the construction of railways, including trans-continental lines.

The government has watched and fostered the advancing settlers, securing them in their homes, first upon lands surveyed, offered and unoffered, then giving legal inception to settlements before surveys, and expanding the principle along railway concessions. The area of the United States, within the limits recognized and defined by the treaty of peace in 1783, embraced 824,248 square miles, or 327,518,720 acres. Of this surface there was claimed by different states, under colonial charters, yet which was ceded by them for the common benefit, a surface, designated as public lands, equal to 354,000 square miles, or 226,560,000 acres, which constituted the nucleus of the national proprietorship.

Population and Present Area of the United States—Within our limits, at the opening of the American revolution, we had only* 2,389,300 persons of every description. Now we have a population of 40,000,000 of inhabitants, with nearly 2,000,000,000 of acres as national territory, with a geographical surface of the whole Union equal to nearly 4,000,000 of square miles, with the Atlantic and Pacific oceans as frontiers, the former the highway to European commerce, the latter giving us a dominating position for the control of Asiatic trade, while we have as the boundary, in part, the great northern lakes of the continent, and on the south the Gulf of Mexico. Gibbon, in surveying the extent of the Roman empire at a period when it had reached the summit of its grandeur after a career of conquest and civilization for a thousand years, estimated its surface at 1,600,000 square miles, and as embracing a population of 120,000,000. The United States already occupy an area equal to nearly 4,000,000 square miles, two and a half times greater than that ancient empire of civilization, and in thirty years,

*Seybert's statistics.

according to existing ratios, will have 107,000,000 of inhabitants, high authority having estimated that there will be 150,000,000 at the close of the present century. It is also ascertained that the true gold value of the personal and real estate of the country is not less than \$30,000,000,000.

Education.—Massachusetts, as early as 1647, by law, enacted that “each town consisting of fifty householders was directed to maintain a school, to teach their children to read and write; and every town of one hundred families was to maintain a grammar school to fit youth for college.” As nearly as can be determined, the first teachers’ association organized in the United States was the Middlesex county association for the improvement of common schools, founded at Middlesex, Connecticut, in 1790. In 1811 the society of teachers was established in New York, and in 1830–31 similar associations were organized in Massachusetts. An institute of instruction was founded in Rhode Island in 1845, being the same year that Massachusetts founded the state teachers’ association. In 1847 Ohio formed her state teachers’ association. The teachers’ seminary, opened at Concord, Vermont, in 1823, was the first institution that approximated the character of a normal school.

At the close of the war of the revolution there were but seven colleges in the United States, to wit: Harvard, William and Mary, Yale, College of New Jersey, University of Pennsylvania, Columbia, and Brown University. In 1870 there were in the states and territories 324 colleges, a faculty of 3,112 professors, and 63,642 students, 8,519 of whom were females. There were also 811 academies, 4,051 instructors, 98,929 students; 205 female seminaries, 2,120 instructors, and 24,613 students; also 26 colleges under the supervision of leading religious denominations. Besides these, there were in 1870, 110 theological schools, with 573 instructors, and 3,828 students; 37 law colleges, with 158 instructors, and 2,174 students; 94 medical colleges, with 1,148 instructors, and 8,681 students; national schools of science; commercial and business colleges; museums of natural history; institutions for the blind, deaf and dumb; institutes of music; and 1,100 libraries, with nearly 10,000,000 volumes.

Manufactories.—The American people are rapidly becoming a manufacturing people. In this respect the progress of the nation has been onward to the grandest achievements. In the earlier annals of the country—distinctively so during the colonial epoch—the manufacturing genius and aspirations of the people were subjected and discouraged by penal codes and repressive enactments of Britain, whose exclusive and mercenary aim seemed to foster only those branches of industry that would alone excel in contributions to her commercial aggrandizement. Her inordinate lust and greed developed itself in the inauguration of an untrammelled market for all the ramified agricultural products, extending even extraordinary inducements for the transmission of unwrought materials; her avaricious and Briarean passion at times propelling her to the advertisement of premiums for a still greater productive augmentation.

In the incipency of the national existence its manufacturing energies lay dormant, or in their manifestations were relatively unimportant. During the colonial period, progress in this direction was next to impossible. Between the periods of the revolution and the second struggle with her hereditary oppressor, the nation sought recovery and resuscitation, more particularly from the wounds and prostrations she suffered at the hands of the mother country; and as a consequence her exports in fields of manufacturing enterprise were essentially limited. Once released from the thralldom of Great Britain, she devoted herself to manufacturing industries, and to-day she is a competitor and rival of European states in the markets of the world. In the fabrication and production of iron and cotton and woolen goods, three grand staples, England alone is in equal competition with her. New York, Pennsylvania, Massachusetts, Connecticut, Rhode Island, Ohio, Missouri, are vast manufacturing centers, and, territorially considered, are nearly twice as large as England, Scotland, Ireland and Wales. In 1870, there were in the United States, and territories thereof, 252,148 manufacturing establishments, employing 2,053,996 hands, with capital of \$2,118,208,000; distributing in wages, \$775,584,343; consuming \$2,488,427,242 worth of material; the products amounting to \$4,232,325,442.

Commerce.—The uniformity of the progress and development of the American nation is one of its most remarkable features, and in no particular is this more apparent than in the commercial thrift of the country. At the close of the revolution neither our exports nor imports amounted annually to \$20,000,000. For the fiscal year ending July 1, 1874, the exports of the country were valued at \$652,913,445; the imports at \$595,861,248, or an excess of exports over imports of \$57,052,197. The tonnage of the United States merchant marine, employed in the foreign trade, the coast-wise trade, and the fisheries, in 1789, was 201,562 tons; in 1873, 4,696,027 tons.

Railroads.—As was the case in Great Britain, so it was in America, canals, turnpikes, tramways, etc., preceded railroads. In 1826 a horse railroad was commenced from the granite quarries of Quincy, Massachusetts, to the Neponset river, three miles distant. During the following year it was completed, and another, nine miles long, was constructed from Mauch Chunk, Pennsylvania, to the Lehigh river. Local enterprises of this character, limited to the transportation of mining products, multiplied, but the construction of more extended lines awaited a heavier pressure of public necessities. In 1824 the immense resources of the vast Mississippi basin had attracted the attention of business men in the east, as promising a broad volume of trade between the two sections. The most exalted anticipations of the growth of the great west then indulged in were exceedingly feeble compared with what has since been realized. They were sufficient, however, to excite a keen and powerful competition between the cities of the seaboard for the trade of that region. New York, Philadelphia, Boston and Baltimore all clamored for communication with the eastern watershed of the great basin, but it was not until July 4, 1828, that ground was broken for the Baltimore & Ohio railroad, and the first passenger railway in the United States was placed under process of construction.

The South Carolina road was commenced in 1830, and in 1833 completed to Hamburg, 136 miles. It was then the largest railway in the world, and was the first upon which appeared an engine

of American construction. It was also the first railroad upon which the mails were transported.

In 1830 there were but 23 miles of railway in the United States; in 1840, 2,818; in 1860, 30,635; in 1872, 68,320. The Union Pacific railroad company was chartered by act of Congress July 2, 1862, with authority to construct a railroad from Omaha, on the Missouri, to the eastern line of California; the Central Pacific being organized July 1, 1862, to construct a railroad from Sacramento to the eastern boundary of the state. The work was commenced in February, 1863, and completed May 10, 1869, the two roads having formed a junction at Promontory, where the *golden spike* was driven. Thus was completed the initial line of trans-continental railway communication. When the enormous extent of the work is considered, and especially the towering obstacles on the more difficult portions of the line, we may well be astonished at the result, illustrating the American name with a glory uneclipsed by any former achievement in our short but eventful history. And what has thus been accomplished is only the starting point of a still more noble career; in fact it is but the preliminary demonstration of the wonderful capacities of railway enterprise for the amelioration of society and the subjection of the earth's resources to the wants of civilized man.

Telegraphs.—In 1840 there was not a mile of practically operating telegraphic communication in the United States. In less than thirty years thereafter there were in the limits of the Union 125,564 miles of wire, transmitting annually over 12,000,000 of messages. A sub-marine cable was finally successfully laid across the Atlantic in 1866, a distance of over 2,500 miles, under the direction of Cyrus W. Field. It is said to contain 25,000 miles of copper wire in the conductor, 35,000 miles of iron wire in the external casing and nearly 400,000 miles of hemp strands, an equivalent in length of miles to fifty-six diameters of the globe.

Agriculture.—Agriculture, "ancient as the world, having taken its birth in the terrestrial paradise itself," occupies pre-eminence among the pursuits of the people. No nation in the world has made such sudden and startling advances in the science of hus-

bandry as the inhabitants of the young republic. In the enterprises of labor-saving machines it is without a rival. McCormick's reaper and mower revolutionized old and honored but laborious agricultural systems. It was not until the dawn of the nineteenth century that the mighty strides in agricultural and mechanical industry received their powerful propulsion and momentum. It was reserved to the post-revolutionary period to witness the grandeur of their achievements. In 1870 there were produced in the United States 287,745,626 bushels of wheat and 1,767,000,000 pounds of cotton, against 250,000 pounds produced in 1790.

Book Manufacture.—In this department of printing the greatest energy is exerted and the utmost activity prevails. The achievements of science and the triumphs of genius in this sphere have been brilliant, if not wonderful. The appliances in use half a century ago would be regarded as worthless and impracticable in this age of machinery and steam. The cultured, ambitious intellect, and the advanced, progressive thought of the age, make possible and inevitable our great multiplication of books. An English author says: "American books are now executed with neatness and taste; their wood-cut embellishments sometimes surpass those of London; and in point of size and price they are, for the most part, well adapted for general circulation. On account of the prevalence of education, and also the aspiring habits of the people, book buyers of an humble position in life are greatly more numerous than they are in England."

Newspapers.—September 25, 1690, the first newspaper in the United States was published at Boston. In 1784 the first daily sheet was issued in Philadelphia, and was known as the Pennsylvania Packet. In 1776 there were in the United States but 37 public journals issued, all of which save one (a semi-weekly) were weeklies. In 1870 there were 4,333 political newspapers issued; 503 illustrated, literary and miscellaneous; 407 religious; 207 technical and professional, and 421 of other descriptions, making a total of 5,871. The Hoe press, perfected in 1847, has made it possible to take 40,000 newspaper impressions in an hour.

Mining.—One of the cardinal industries of the nation is its

mines or the mining interest, so important in its bearings upon domestic and foreign trade; an industry with which thousands of our ambitious and eager population are identified, and the results of which are essential to the permanent prosperity of the country, and are expected to furnish the necessary metallic basis for the currency of the country. These gold mining interests are scattered over a million of square miles and are embraced in numberless mineral districts. In 1870 the yield from the gold mines in the United States was \$15,017,840. The production from 1,550 coal mines in 1870 amounted to 33,389,049 tons, and there was manufactured of pig iron 2,046,123 tons, and of iron ore 3,210,908 tons.

American Literature.—During the colonial history of the United States the empire of letters was but sparingly enriched by contributions of any remarkable standard value. The conditions of the seventeenth century were not of a character to foster the productions of genius. What was known as "Sandy's Ovid," dedicated to King Charles I., and issued in 1626, is memorably one of the earliest contributions to the literature of the mother country bearing the print of colonial authorship. During this century Captain Smith published his "Descriptions of Virginia," a book of conceded interest, which was followed by a puritanic metrical rendition of the Psalms, as well as the tolerable effusions of Benjamin Thompson and Miss Anne Bradstreet. The controversies of Roger Williams, Cotton Mather, and John Elliott, who was so enthusiastically inclined to the proselytism of the Indians, were in their way pardonable prose, to be remembered in connection with the times in which they were written.

The beginning of the eighteenth century was characterized by more activity in this direction, perhaps, than its predecessor. In the domain of theology, a genius of rarest brilliancy darted athwart the heavens, leaving behind it a light that has, and will continue to illuminate the ages. Religious controversies excited the public mind, and the intellectual forces of the century were deeply absorbed in the results of these disputatious tournaments. It was at this period that the Rev. Jonathan Edwards, of Connecticut, who was proclaimed by his admirers to be "the first man of the world during the second quarter of the eighteenth century," made his

appearance, and by the vigor and variety of his thought, the brilliancy and terseness of his expression, and the compactness and power of his logic, ennobled the theological literature, not only of his own country, but of the world.

Benjamin Franklin, the name of whom, "as long as utilitarian philosophy endures will be a name to conjure with," fertilized the literature of the new world and enriched the philosophy of the times. As economist, statesman, philosopher, diplomat and experimenter, he was the most practical of men. The ethics of "Poor Richard's Almanac," though written in homely guise, are quaint specimens of incisive as well as humorous prose.

The literature of the nineteenth century embraces most signally men of pre-eminence and distinction in the walks of physical and mental science, in history, philosophy, polite literature, poetry, criticism, etc. Oratory did not die with Patrick Henry or James Otis, for Webster, Clay, Calhoun and Everett will ever remain as masters in their realm. Verplanck, Wirt, Sparks, Hildreth, Bancroft, Motley and Prescott, the "artistic historian," have adorned, embellished and rendered almost priceless the themes and men they have crystallized in their elegant and stately prose.

Washington Irving was among the earliest of American authors to give unmistakable character and dignity to American polite literature in Europe. His amiable manner and graceful and genial style soon admitted him to the affections of the readers of two continents. His versatile and exhaustless genius employed itself in the delineation of inimitable sketches; in fascinating, elegant and instructive histories; in burlesques, and legends like "Sleepy Hollow" and "Rip Van Winkle," the latter furnishing the best type of amusement and grinning, weird-faced, stunning humor. "Diedrich Knickerbocker's History of New York" is pronounced by a European critic to be, "in point of pure originality, his masterpiece, and one of the richest farragoes of fact, fancy and irony that ever issued from the press."

In fiction, Cooper, notwithstanding his verbose descriptions, attained pre-eminent rank, and was a most independent, original and sparkling genius. In this domain of literary activity are prominent the names of Brockden Brown, Paulding, Hoffman, Simms, Kennedy, Poe, etc.

Hawthorne, however, was the most artistic of American romancers and writers in prose. "Of his style it is impossible to speak too highly; for, without any of the defects found in the writings of his countrymen, it has a healthy flavor of nationality. It is accurate and strong, terse and yet full, rich and yet simple, harmonious, varied and suggestive. These excellencies of form give a fascination to his most ordinary themes as to his descriptions of scenery and works of art." Escaping from "the moonlight of romance," he manifested his ability for grand achievements in sketch-work and excursions in fairy lands.

Channing, Parker, etc., though transcendentalists, are representatives of original systems of thought. Their batteries are directed against all wrongs and systems of old theologues, their hours of most precious study being devoted to peregrinations through the ethery spaces of idealism, scepticism, materialism, mysticism, orientalism, pantheism, and all the modern and ancient isms and philosophies, their rambles and excursions tending everywhere, and culminating in one mighty jar to all definite and settled institutions, systems and beliefs. To this class also belongs Emerson.

Humorists, like Lowell, Holmes, Neal, Artemas Ward, Bret Harte, and Mark Twain, throw sunshiny gaiety over the commonplaces of society and life, and pervade the lighter literature of the country with noisy merriment, buoyancy and laughter on all sides.

American poetry justly ranks with that of the most refined and cultivated countries, and is permeated with a freshness, spirit, inspiration and originality peculiarly its own. Of the living masters of the poetic art Longfellow confessedly occupies pre-eminence. Every sentence that he writes is "clear as crystal and pure as snow." His scholarly attainments are of the highest order, yet "he wears the weight of learning lightly as a flower; and though he can not create, he can not touch without adorning. He seldom gives us thoughts absolutely new, but he puts our best thoughts in the best language." Bryant was one of the earlier poets who won fame. His *Thanatopsis* remained his masterpiece to the time of his death, though there was kindly pathos and beauty in all he wrote.

An English authority writing upon the subject of American literature says, in substance: "Foremost among the more attractive

features of transatlantic literature is its freshness. The authority which is the guide of old nations constantly threatens to become tyrannical; they wear their traditions like a chain; and, in the canonization of laws of taste the creative powers are repressed. Even in England we write under fixed conditions, with the fear of critics before our eyes. If there is a gain in this habit of self-restraint, there is a loss in the consequent lack of spontaneity. Another feature of American literature is its comprehensiveness; what it has lost in depth it has gained in breadth. Addressing a vast audience, it appeals to universal sympathies. In the new world there are no Grand Seigniors, no human vegetables; and if there are fewer giants, there are also fewer mannikins. Under habits of self-restraint, and the culture of her nobler minds, we may anticipate for the literature of America, under the mellowing influence of time, an illustrious future."

NATIONAL GROWTH.

It can no longer be doubted that North America, by its remarkable physical conformation and peculiar position in history, is wonderfully fitted for the development of commercial power. Here all the disintegrating influences of the Old World are happily unknown. The mountain and desert barriers of Asia, which broke infant society into divergent and hostile fragments, find no reproduction on this continent. Diversities of chorography, climate, soil, and productions, here fade into each other by imperceptible degrees, giving scope to homogeneous civilization founded upon universal comity. Imported differences of race subsist but for a single generation, while national boundaries, founded on no well-defined natural frontiers, are destined to silently pass away as the true idea of American society is developed. An "ocean-bound republic," a single flag waving from the Arctic Ocean to the Gulf of Mexico, has long been foreshadowed in the public mind. Without war, without any rupture of the public peace or violation of the public faith, by the silent operation of physical and moral forces, all this will be accomplished. The perpetuation of our landed policy and its extension over the continent, as national jurisdiction enlarges, will establish a permanent democratic civilization, secured by dif-

fusion of proprietary rights in the soil such as no democracy ever yet enjoyed. Our geographical position is right in the main axial line of the globe's grand commercial movement, soon to be developed throughout its entire extent. The comparative cheapness of ocean carriage has hitherto caused an enormous deflection in the track of commerce around the southern extremity of Africa and South America, but this has long been felt as an oppressive restriction, and the most strenuous efforts have been made to evade it.

Both of the great continental masses, sometimes called the eastern and western hemispheres, contract in their central portions to narrow isthmus belts, seeming to invite human enterprise to a completion of oceanic intercommunication, by excavating ship canals, thus saving thousands of miles of difficult and dangerous navigation. On the eastern continent this idea is as old as civilization itself, and has, at least twice in the past ages, been realized in practice. The isthmus of Suez, at a very early period in history, was traversed by a canal said to have been commenced by Pharaoh Necho, and finished by Darius, the Persian King. Having been permitted to fall into dilapidation, it was subsequently restored by Ptolemy Philadelphus to a condition of effectiveness, in which it continued at least till the age of Augustus, when it gave passage to large Roman fleets engaged in the India trade. Under the sway of Mohammedanism it was again permitted to perish, being almost obliterated by the destructive agencies of nature. Its outlines were, however, observed by the first Napoleon, in his Egyptian campaign, suggesting to his profound intellect its admirable strategic advantages, as well as its commercial importance. One of the Napoleonic ideas left by the great conqueror to his successor, to France, and to the world, was the re-opening of the Suez canal, which marked the removal of the great obstacle to a continuous line of ocean navigation, traversing the eastern portion of the northern hemisphere.

Attention has been sharply attracted to a similar opportunity for abbreviating lines of communication between the Atlantic and Pacific by uniting in a similar manner the two great continents of the western hemisphere. Engineering science, it may be said, perseveres in failing to find any practicable line of canal construction across the isthmus which does not involve a greater expenditure of

capital and labor than can be rallied to the enterprise. A railroad across the isthmus of Panama has been in successful operation for many years, thus offering the next best substitute for the canal project. It might be supposed that a great line of world's traffic, consisting of cheap ocean navigation, connecting with this short link of land transportation, would be able to defy all rivalry of similar lines of combined ocean and land transportation further north. Yet we find a line of railway across nearly the broadest portion of North America, embracing over three thousand miles of expensive railway carriage, entering into a formidable and threatening competition with the southern route, a railway, too, which passes over a belt of country containing hundreds of millions of acres of public lands, destined at no distant future to be covered by actual settlements.

In utter defiance of doctrines that were presumed to be determined by experience, the relative influence of railways in transportation and travel is augmenting. Despite the comparative cheapness of water carriage by canals, the amount of cheaper raw material seeking railroad transit is annually increasing. For the movement of the lighter and more expensive articles of commerce, such as the teas and silks of China, which represent a vast amount of labor expended upon their gathering and fabrication, the cost of carriage will bear but a small ratio to their market price, and will give to our long line of trans-continental railroad, with its rapidity of transit, an overwhelming advantage. The tendency of normal civilization is to condense the value of articles of commerce by manufacturing raw material near the place of its production, thus diminishing the friction of transportation. The greater the number of chemical and mechanical changes that can be wrought upon raw material near the place of its production, not only lowers the cost of transshipment but also makes that cost to bear a depressed ratio to the value of the freight. The comparative cheapness of ocean transportation will then be partly neutralized by this condensation of commercial values. The rapidity of transit, as the system of modern commerce becomes more elaborate and settled, is an increasing element of power operating in favor of our trans-continental line, whose last link was forged in the completion of the Union and Central Pacific roads.

The growing power of railways over water carriage is illustrated in the case of Holland and Belgium. At the separation of these countries in 1830, the former possessed a much larger commerce and a greatly superior water communication by sea and canal transit. In 1835 the total exports and imports of Belgium were about \$50,000,000, while those of Holland were about double this aggregate. In 1833, however, the Belgium system of railways was inaugurated under the superintendence of the great English engineer, George Stephenson. The Dutch, meanwhile, relying upon their water communication, made no special effort to engage in railway enterprise till the remarkable strides of Belgian commerce awoke them to effort. The Dutch Rhenish railway, constructed to recover their former superiority, was not fully opened till 1856; but the palm of commercial superiority had passed to the younger rival. The imports and exports of Holland in 1862 were less than \$300,000,000, while those of Belgium approached \$400,000,000. The advance of modern civilization may be gauged from the extension of its railway lines. The same influences which extend the competitive power of railways in the narrower sphere of local traffic are now felt on a grander scale in the nation's great trans-continental line.

This long route of travel and communication—and others are being built—running through the entire length of the country, will ultimately supersede the short isthmus line in the conveyance of passengers and merchandise across the western hemisphere. The counterbalancing advantage of the northern line, and the abbreviation of ocean distance, may be seen by comparing the actual length of the fortieth parallel with that of the equator, or of the diagonal deflections that must of necessity be made in descending to a latitude even so high as that of Panama Isthmus. The swelling of the earth at the equator, and the consequent enormous enlargement of distances around it, are apt to be overlooked even by intelligent thinkers on these subjects.

The alignment is remarkably direct, as a glance at the Mercatorial map of the world will show, for a continuous route of travel and traffic from the head of navigation on the Yang-tse-kiang river, in China, passing through San Francisco, New York, and the entire length of the Mediterranean Sea to Port Said, the north-

ern terminus of the Suez Canal. The impracticable continent of Asia here breaks the continuity of this line. The massive Hima-layas preclude even railway passage upon any principle now known. The transit of the three southern peninsulas, Arabia, Hindostan and Farther India, would involve an annoying frequency of trans-shipment; hence, the great line of the world's traffic will be com-pelled to drop down to the Indian Ocean, accepting cheaper ocean transport as the compensation for greater distance and slower time.

That portion of the line, however, traversing our continent, is susceptible of still greater abbreviation. The line of the Union and Central Pacific roads was a compromise one, in which impor-tant advantages inured to local interests. The Northern Pacific, crossing our interior mountain chains at much lower altitudes, with a more direct alignment, and passing over an immense zone of the public domain, claims to offer a land transit across the con-tinent at least three hundred miles shorter than other routes, be-sides an ocean navigation from Seattle, its western terminus, to China and Japan, some five hundred miles shorter than from San Francisco to the same countries. Other abbreviations of this land route may be effected by other railway enterprises, as the necessi-ties of trade and travel may demand. We have, then, partially developed the elements of a main line of traffic and travel girdling the earth near the fortieth parallel. Along this the mass of the trade of the northern hemisphere will ere long be made to pass. The commercial ascendancy of northern Europe is a thing of the past. It was suited to the imperfectly-developed commercial and industrial aptitudes of the passing age, but world-wide civilization is now beginning to assume its rounded development.

The barbarism of the western continent is now completely overshadowed, and the semi-barbarism of the eastern continent un-dermined by progressive influences and ideas. Yang-tse-kiang is already vexed with the paddle of the steamer; foreign commerce is pushing its cargoes up that river hundreds of miles from Shang-hai into the very heart of the Celestial empire. That great mon-archy, hoary, superannuated, decrepit, must rely for the prolonga-tion of its existence upon once despised outside barbarians. Mo-hammedan insurrections have disintegrated many of her provinces,

while the too peripatetic Tartar in the dependencies of the empire have learned the effeminate nature of the power which through the centuries has enthralled them.

The Semitic governments of Asia are breaking down by the infirmities of age and natural decay, and sinking before the onslaught of the commerce and conquest of the Occident. Her social and political status has, within the last century, been subjected to influences which promise to result in a complete revolution. The first European adventurers that came in contact with the Chinese were not of a character to inspire very lofty ideas of western culture and civilization, nor to humble the lofty pride nurtured by four thousand years of imperial sway. The pliant policy of the English East India company, submitting to every indignity for the sake of trade, confirmed the Chinaman in his contempt for foreigners. This led to hostilities with England and France, whose military and naval operations in the different wars from 1839 to 1860 demonstrated the superiority of western civilization.

The ascendancy of Europeans in China is now an accomplished and irrevocable fact, accepted by public opinion. This popular impression is less the fruit of military success than of the quiet operation of commercial intercourse. The introduction of the improvements in navigation and internal communication by foreigners, and the enhanced value of business naturally resulting therefrom, have awakened new ideas and wants which can be met by no agency in the old society system. And the other Asiatic nations are passing through a similar series of organic changes.

A universal civilization moves irresistibly along, and to its shaping influences, Semitic exclusiveness and conservatism must yield. Diversities of race and religion will soon cease to interpose barriers to the free intercourse of nations, and will soon fade away before the increasing power of commerce, the diffusion of intelligence and the unification of faith. In the midst of these social changes, the activity of political movements is no less marked and effective. Europe has settled down upon a policy of systematic conquest in Asia, the operations of which are by no means suspended in the so-called intervals of peace; while the gates of Janus are shut, the wiles of diplomacy and the ceaseless movements of trade are undermining the native potentates and preparing the aggressive

forces which, upon the first specious pretext, are to be hurled against them.

On the north the semi-Asiatic empire of Russia has been for ages projecting its conquests east and south, absorbing immense continental areas, and welding the most diverse popular elements into a single political system. The drift of the controlling forces of her civilization is eastward to the Pacific. The exiles of Siberia, embracing the ardent, energetic, irrepressible elements of the population, whose presence in the European provinces was deemed inconsistent with the peace of the Russian system, have, amid the bleak desolation of the northern slope of the continent, where serfdom never planted its foot, built up a social system, compact, vigorous, projective, ready to respond to the call of the free civilization which we have now planted across the Pacific.

England, on the south, has built up a splendid commercial and military empire, radiating her civilization downward from the seat of authority by means of internal improvements projected upon a comprehensive plan. While missionaries of hundreds of Christian churches are engaged in remodeling the social and moral elements of the population, the industrial system of India has been re-patterned and reduced to an entire dependence upon that of England. France has her eye turned with liquid anxiety to the anticipated dismemberment of the central Asiatic empire. This eastern question has broadened its issues to compass interests unconceived in its earlier periods.

A new empire of democracy has established itself on what was lately the abode of barbarism, the western coast of the North American continent. The republic has a commanding position in the disposal of Asiatic nationalities which it is amply able to vindicate by force, if necessary, but which it proposes to secure by the peaceful influences of a higher civilization. As American resources upon the Pacific slope are developed, our moral and physical influence in the Asiatic problem increases, while the rupture of the peace of the world for purposes of conquest and aggrandizement by the European powers involves wider interests and graver consequences. This significant fact has been already noticed by the governments of eastern Asia, which are now learning to lean upon the moral support of this republic in the long contest for ex-

istence which they have maintained against European powers. China, disenchanted of her illusions in regard to her superiority over other countries, supplicates national recognition, that she, too, may escape danger and absorption from European conquest which has been the gloomy fate of many Oriental states. Under the influence of the American idea she has consented to be a witness to the reconstruction and regeneration of her hoary civilization; and is joyfully willing that those improvements in science and art which had enabled western nations to prevail against her, should be incorporated into her social system.

The great principles on which our government rests are now firmly established and generally acknowledged, assimilating to the theory in the natural world of the planetary system, recognizing the general government as the sun of that system, and the states as political planets revolving around the common center, held in their orbits by primordial laws. Under momentum of renewed national prosperity and genial impulses, our industrial and commercial machinery is again in operation, accumulating wealth, and giving peace and plenty to the land; while our educational and moral influences are no less active in refining and elevating our development and progress, and in enabling us to realize the bolder and more exalted aims and ends of civilization.

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